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Council Proceedings

Official Report

Bengal Legislative Council

Thirty-first Session, 1929

20th, 21st, 27th and 28th February and 1st March, 1929

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3. Mr. W. L. TRAVERS, C.I.E., O.B.E.
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Ahamad, Maulvi Kasiruddin. [Rangpur West (Muhammadan).]
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B

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C

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H

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I

Ismail, Khan Bahadur Maulvi Muhammad. [Mymensingh Central (Muhammadan).]

J

Jenkins, Dr. W. A. (Nominated Official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
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M

Maguire, Mr. L. T. (Anglo-Indian.)
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S

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Sattar, Mr. Abdool Razak Hajee Abdool. [Hooghly *cum* Howrah Municipal (Muhammadan).]
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T

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Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

W

Wordsworth, Mr. W. C. [Presidency and Burdwan (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-first Session.)

Volume XXXI—No. 2.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 20th February, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 122 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. I. A. CLARK.

The Hon'ble the President's statement on certain publication by the "Statesman" criticising his action.

Mr. PRESIDENT: Gentlemen of the Council, once again I am compelled to draw the attention of the Editor of the *Statesman* of what was evidently published in its columns by one officially connected with that paper with the object of criticising an action of the President of this Council. I refer to the Political Notes, by an Indian contributor, which appeared in the *Statesman* in its issue of the 14th instant. The writer of the notes made an insidious attack upon the impartiality of the chair in contravention of journalistic etiquette or Parliamentary behaviour. I am sure that this House resents with me any such attempt, open or covered, to undermine the authority of the chair or impair its dignity. ("Hear," "hear.") Although I refuse to be drawn into an argument with regard to the correctness of my judgment in allowing certain questions to be put without notice, during question time, on Tuesday before last, I may say this much, that in order to meet a special case I permitted members to do

so by a liberal interpretation of the proviso under section 24, Standing Order 12, in accord with the average opinion of the House (" hear," " hear ") I allowed those questions to be actually put because in this case, as on other occasions—under other circumstances—the right for requiring notice of a question was waived by the possessor of that right with the general concurrence of the Council. A reliable authority on Parliamentary procedure has rightly observed that occasions may arise when the chair must extend the customary rules by exposition and use the unwritten law stored up in precedents.

Starred Questions

(to which oral answers were given).

Faridpur Railway Station.

*46. **Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state—

(*i*) for how many years the Faridpur railway station has been without a raised platform and without any suitable waiting sheds for male and female passengers; and

(*ii*) for how many years the question of improving the station or in the alternative of shifting it to a more convenient site has been under consideration?

(*b*) Will the Hon'ble Member be pleased to state whether any decision in the matter is likely to be expected in the near future?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. A. Marr): (*a*) (*i*) Since 1916, when the old Faridpur station was abandoned owing to encroachment of the river.

(*ii*) For some years it was impossible to say whether further immediate riverine encroachments were to be expected, and consequently no steps were taken by the railway authorities to select a new permanent site for the station.

(*b*) The railway authorities have now decided to construct the station on a new site, and arrangements are being made to provide funds in 1930-31.

Srijut NAGENDRA NATH SEN: With reference to answer (*a*) (*ii*), will the Hon'ble Member be pleased to state for how many years it has been impossible to say whether further immediate riverine encroachments were to be expected?

The Hon'ble Mr. A. MARR: I cannot say definitely.

Srijut NAGENDRA NATH SEN: With reference to answer (*b*), will the Hon'ble Member be pleased to state when the Railway authorities decided to construct the station on a new site?

The Hon'ble Mr. A. MARR: I cannot say, Sir.

Babu SURENDRA NATH BISWAS: With reference to answer (*b*), will the Hon'ble Member be pleased to state why no arrangements had been made to provide funds in next year's budget?

The Hon'ble Mr. A. MARR: That is a matter for the Government of India, Sir.

Mr. D. N. ROY: Will the Hon'ble Member be pleased to state whether the platform of the station when constructed will be of the high or the low type?

The Hon'ble Mr. A. MARR: I cannot say, Sir.

Mr. A. C. BANERJEE: Is it not a fact that in the waiting room of the Faridpur railway station, which is used by Indian ladies only, there is no decent accommodation, and not even a chair or a bench?

The Hon'ble Mr. A. MARR: As far as I know, Sir, the Faridpur railway station has no waiting room for ladies.

Licences in Asansol Town for processions during Durga Puja, 1928.

*47. **Srijut NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a copy of the rules, if any, regulating the grant of licences in mufassal towns for processions with music during Hindu religious festivals?

(*b*) Will the Hon'ble Member be pleased to state what was the total number of licences issued last year on the occasion of the Durga Puja in the Asansol municipal town?

(*c*) Is it a fact that in one case licence was refused to a party for leading the image of goddess Durga in procession for immersion on the ground that it was a new puja?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) There are no special rules for processions.

with music in mufassal towns during Hindu festivals. Such processions are dealt with under the general instructions for dealing with processions and assemblies under sections 30-32 of the Police Act (Act V of 1861), which will be found in Rule 34, P.R.B., Vol. I, a copy of which is in the Council Library. Certain conditions are also printed on the licence form (P.R.B. form No. I which will be found at page 3 of P.R.B., Vol. II), but the Superintendent of Police is authorised to alter or omit any of the conditions therein specified and to impose any other condition to suit the needs of any particular procession or locality.

(*b*) Two.

(*c*) Yes.

Srijut NAGENDRA NATH SEN: With reference to answer (*c*), will the Hon'ble Member be pleased to state whether the fact of the Puja being a new one was the only reason for refusing a licence?

The Hon'ble Mr. A. N. MOBERLY: As far as I know, Sir, it was the only reason given.

Chandina Police-station.

***48. Maulvi ASIMUDDIN AHAMAD:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that the police-station at Chandina in the district of Tippera is going to be abolished?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) the reasons for the abolition; and

(*ii*) where it is likely to be re-established?

The Hon'ble Mr. A. N. MOBERLY: (*a*) No proposal for the abolition of the police-station has been received by Government or the Inspector-General of Police.

(*b*) Does not arise.

Civil and Criminal Court peons.

***49. Kazi EMDADUL HOQUE:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether there is any rule for the transfer of court peons, specially the process-serving peons, in both criminal and civil courts, from one court to another in a different district?

(b) If not, are the Government considering the desirability of making such a rule limiting the stay of a peon in any one court to not more than three years at a time?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (a) No.

(b) No.

Kana Damodar.

*50. **Babu MANMATHA NATH ROY:** (a) Is the Hon'ble Member in charge of the Department of Irrigation aware that almost the whole length of Kana Damodar in the districts of Howrah and Hooghly has been completely silted up?

(b) Is it a fact that the villages on both sides have been very seriously affected with malaria and that irrigation in the locality has become impossible?

(c) Will the Hon'ble Member be pleased to state

(i) what steps the Government have taken during the year 1928 for its re-excavation, and

(ii) what do the Government propose to take in the matter in the near future?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (a) The condition of the river is much the same to-day as it has been for many years: it is a small local drainage channel and has not been completely silted up.

(b) Government have no information.

(c) (i) No steps were taken in 1928.

(ii) There are no proposals before Government for improving this river, but when the Damodar Canal is constructed, it will supply additional water to this river for irrigation.

Subdivisional Magistrate, Rampurhat.

*51. **Babu JITENDRALAL BANNERJEE:** (a) Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing the various funds (excluding the Famine Relief Fund), which Mr. S. Bannerjee, till lately the Subdivisional Magistrate of Rampurhat and at present on leave, raised by public subscription during the whole period of his office as Subdivisional Magistrate of Rampurhat?

(b) What was the total amount of the money thus raised?

(c) How much of it was realised from applicants for the renewal of gun licences?

(d) Is it a fact that the said Subdivisional Magistrate used to demand and realise subscriptions from the men of the subdivision on the occasion of their applying for the renewal of gun licences?

(e) If so, are the Government considering the desirability of issuing a circular to the executive officers and all persons concerned forbidding the practice of realising subscriptions on the occasion of granting or renewing gun licences?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (a) The Public Charitable Fund and the Leprosy Relief Committee.

(b) Rs. 5,000 and Rs. 700, respectively.

(c) and (d) Government understand that the Subdivisional Officer realised subscriptions during the course of his tours undertaken for renewing gun licences, but have no reason to believe that subscriptions were realised as a condition of renewal.

(e) There are orders in existence which prohibit among other things the realisation of subscriptions in such circumstances, and attention will be drawn to them whenever this may be necessary.

Babu JITENDRALAL BANNERJEE: With reference to answers (c) and (d), will the Hon'ble Member be pleased to state whether Government made any inquiries into the matter?

The Hon'ble Mr. A. N. MOBERLY: Yes, Sir.

Babu JITENDRALAL BANNERJEE: With reference to answer (e), will the Hon'ble Member be pleased to state whether Government consider it advisable to draw the attention of the particular officer to the circular order referred to?

The Hon'ble Mr. A. N. MOBERLY: The particular officer is on leave, Sir.

Babu JITENDRALAL BANNERJEE: Is he beyond the reach of an order from Government?

Mr. PRESIDENT: Mr. Bannerjee, I do not think that question arises at all.

Practice of courts for summoning parties on dates on which the cases are not taken up.

*52. **Kazi EMDADUL HOQUE:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that certain Judicial officers, specially in the district headquarters, hear only appeal cases conducted solely by parties and pleaders without witnesses, on certain dates?

(*b*) Is the Hon'ble Member also aware that they do not take up cases on those dates although parties have to appear with witnesses from a distance?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, are the Government considering the desirability of putting a stop to this practice?

The Hon'ble Mr. A. N. MOBERLY: (*a*) and (*b*) Government have no information.

(*c*) No. The practice and procedure in civil courts in so far as it is not prescribed by law is governed by rules issued by the High Court and not by the local Government.

Srijut NAGENDRA NATH SEN: With reference to answers (*a*) and (*b*), will the Hon'ble Member be pleased to institute an inquiry?

The Hon'ble Mr. A. N. MOBERLY: I submit, Sir, that it is a request for action.

Mr. D. N. ROY: With reference to answer (*c*), is it to be understood that the local Government are not in a position to answer the question?

Mr. PRESIDENT: I do not allow that question.

Unstarred Questions

(answers to which were laid on the table).

Murders and dacoities in [illegible].

44. **Babu DEBENDRA LAL KHAN:** Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing for the last ten years for the district of Midnapore—

(*i*) the number of murders committed;

(*ii*) the places of occurrence of murders and the salient features in [illegible] therewith;

(*iii*) the percentage of detection resulting in conviction;

(*iv*) the number of dacoities committed;

(*v*) the places of occurrence of dacoities and the salient features in connection therewith; and

(*vi*) the percentage of detection resulting in conviction?

The Hon'ble Mr. A. N. MOBERLY: (*i*), (*iii*), (*iv*) and (*vi*) A statement is laid on the table.

(*ii*) and (*v*) The information is not available and cannot be obtained without a costly and laborious inquiry which Government regret they are not prepared to undertake.

Statement referred to in the reply to clauses (i), (iii), (iv) and (vi) of unstarred question No. 44, showing for the last ten years the number of murders and dacoities committed in the district of Midnapore and the percentage of detection resulting in conviction.

Year.	Number of cases of dacoity.	Number of cases convicted.	Percentage of convictions.	Number of cases of murder.	Number of cases convicted.	Percentage of convictions.
1	2	3	4	5	6	7
1919 ..	39	3	7·6	17	3	17·6
1920 ..	63	7	11·1	30	2	6·6
1921 ..	90	..	..	17	1	5·8
1922 ..	139	7	5·03	25	4	16·
1923 ..	73	4	5·5	34	2	5·8
1924 ..	92	3	3·2	16	..	..
1925 ..	71	11	15·4	22	2	9·09
1926 ..	96	12	13·9	30	..	..
1927 ..	81	3	3·7	22	2	9·09
1928 ..	61	1	1·6	55	1	1·8

B[illegible] Medical School.

45. Maharaj Kumar SRIS CHANDRA NANDY: (*a*) Will the Hon'ble Minister in charge of the Department of Local Self-Government be pleased to state whether it is in the contemplation of Government to establish a Medical School at Berhampore?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the year when it is likely to be established?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Raja Bhupendra Narayan Sinha Bahadur, of Nashipur): (*a*) Yes.

(*b*) Not before 1931.

Late Manager, Boinchee B. L. Mukherjee's Trust Estate.

46. Babu AKHIL CHANDRA DATTA: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it is a fact that the late Manager of the Boinchee B. L. Mukherjee's Trust Estate in the Hooghly district got 3 lifts in a year from August, 1926, to July, 1927?

(*b*) If so, what are the posts held by him during the said period?

(*c*) Is it a fact that a Government *communiqué* was issued to support his first lift?

(*d*) Is it a fact that before the year 1927 closed he was held unfit for the responsible post of Manager under the Court of Wards and dismissed by the Hon'ble Board of Revenue?

(*e*) If so, will the Hon'ble Member be pleased to lay a copy of the Board's order on the table?

(*f*) Is it a fact that he was about 4 months later reappointed as the Manager of a bigger ward's estate?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state whether the order of the Board was countermanded before his second appointment?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Sir Provash Chunder Mitter): (*a*) and (*b*) Babu Surendra Mohan Basu, who was Law Superintendent under the General Manager, Mymensingh, was appointed in August, 1926, as Assistant Superintendent of the Dollye sub-circle (in Tippera) of the Dacca Nawab Estate on Rs. 100—5/2—125. In September, 1926, he was transferred to Comilla as Assistant Manager of the deLaunoy Estate on Rs. 100 only. The post of Manager of the B. L. Mukherjee's Estate in Hooghly having fallen vacant, he was transferred there in June, 1927, on a salary of Rs. 100—5/2—150.

(*c*) Yes, a *communiqué* was issued stating the reasons for the selection in contradiction to an allegation made in a newspaper.

(*d*) Yes, he was dismissed in December, 1927.

(*e*) Government are not prepared to lay a copy of the Board's order on the table.

(*f*) Yes, as a temporary measure.

(g) Yes, on condition that he would get no promotion or increment for 5 years.

Mr. D. N. ROY: Will the Hon'ble Member be pleased to state, since Babu Surendra Mohan Basu was reinstated after the dismissal order of the Board of Revenue was passed, what was the value of such an order?

The Hon'ble Sir PROVASH CHUNDER MITTER: Babu Surendra Mohan Basu appealed against the dismissal order, and, as a result of that appeal, the dismissal order was cancelled and he was reduced.

Sitting hours of courts.

47. Maulvi ABUL KASEM: (a) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether there is any rule prescribing the hour of attendance at court for judicial and magisterial officers?

(b) If so, will the Hon'ble Member be pleased to state the hours during which courts should be held?

(c) Is it a fact that some of the said officers –

(i) attend court according to their convenience;

(ii) hold court till late in the evening?

(d) Is the Hon'ble Member aware that this practice causes a great deal of inconvenience to the litigant public, especially to those who are to return to their distant homes at night?

(e) Are the Government considering the desirability of putting a stop to such a practice?

The Hon'ble Mr. A. N. MOBERLY: (a) Yes.

(b) The ordinary hours of sitting of courts are as follows:—

(i) Mufassal civil courts –11 A.M. to 5 P.M.

(ii) Stipendiary Presidency Magistrates, Calcutta—

(A) Chief Presidency Magistrate—10 A.M. to 4-30 P.M.

(B) Other Stipendiary Magistrates—10-30 A.M. to 5 P.M.

(iii) Mufassal sessions courts and courts of Stipendiary Magistrates—11 A.M. to 5 P.M.

Unless in the case of the latter, with the sanction of the Commissioner of the Division, any other hours are fixed.

(c) (i) No complaint has reached Government.

(ii) It is known that in order to dispose of criminal work and especially of sessions cases, with proper despatch, judicial officers have on occasions prolonged their sittings till a late hour of the day.

(d) Some inconvenience may be caused to some litigants if the business of the court is carried on to a late hour, but even greater inconvenience is likely to be caused by delay in the disposal of cases.

(e) No.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether Government intend to adhere rigidly to the hours 11 a.m. to 5 p.m. for mufassal civil courts?

The Hon'ble Mr. A. N. MOBERLY: The answer to this is to be found in answer (e).

Srijut NAGENDRA NATH SEN: With reference to answer (c) (ii), will the Hon'ble Member be pleased to state whether Judges of civil courts do not sit till late hours?

The Hon'ble Mr. A. N. MOBERLY: I must ask for fresh notice.

Mr. D. N. ROY: With reference to answer (c) (ii), will the Hon'ble Member be pleased to state whether it is a fact that judicial officers, while attending to civil matters, prolong their sittings not rarely but frequently?

Mr. PRESIDENT: The Hon'ble Member has already asked for fresh notice.

2-45 p.m.

Introduction of the Budget of the Government of Bengal for 1928-29.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): Mr. President, Sir, it is once again my privilege to present to the Council the budget estimates of the Government of Bengal. They are in the usual form with statements and appendices compiled so as to give full information to members. If, however, any member wishes to have further information on any point, Mr. Cassells and I shall be very glad to see him in this House or at Writers' Buildings and, as I said last year, every member of Government will be only too glad to help members in every way.

I should now like to take up the figures for the year before last—1927-28. It was estimated last year that, including the opening balance of Rs. 1,99,13,000 and revenue on capital account amounting to Rs. 32,75,000, the total revenues of the province during 1927-28

would amount to Rs. 13,09,49,000. Against this we estimated an expenditure of Rs. 11,21,22,000 and calculated that this year would open with a balance of Rs. 1,88,27,000. The year 1928-29, however, actually opened with a balance of Rs. 2,19,52,000 which is higher by Rs. 31,25,000 than the estimate. The reasons for this are, first, that the revenue of 1927-28 exceeded anticipations by about Rs. 5¼ lakhs and secondly that expenditure fell short of expectation by about Rs. 26 lakhs. The Irrigation Department was unable to work up to its programme on the construction of the Damodar Canal, and less was spent under the heads "22—General Administration," "26—Police," "32—Medical," "33—Public Health," and "41—Civil Works."

Let me turn now to the working of the current year.

Before the year opened our receipts on revenue account were estimated at Rs. 10,94,11,000: they are now placed at Rs. 11,45,78,000, an increase of over Rs. 51½ lakhs. It sounds almost too good to be true. But there is a special reason for this which I shall come to later on. Meanwhile, let me take the main heads of revenue in order. Under "Land Revenue" we estimated a recovery of Rs. 17 lakhs this year on account of Survey and Settlement charges. Owing, however, to the agricultural distress prevailing in certain parts of the province, recoveries in full would have caused hardship, and payments have been postponed in many cases, with the result that our receipts from this source are not likely to be more than Rs. 11½ lakhs. This fall in revenue is counterbalanced to some extent by better receipts from Government estates and miscellaneous revenue, but the net result is a drop of nearly Rs. 1¼ lakhs from the original estimate under "Land Revenue" as a whole.

Some improvement was hoped for in Excise, but I am afraid the revenue will be much the same as last year's. The check in revenue is mainly due to the decrease in consumption of country spirit and pachwai. The depression in the coal-fields and adverse agricultural conditions in certain areas, with the consequent higher price of rice, have adversely affected the revenue from these sources. Registration receipts are expected to be nearly as estimated, but a decline is indicated under "Forests." Restricted exploitation in the Sundarbans area in order to conserve the forests, pending the introduction of a more economical system, is the chief cause of the reduced forest revenue.

The head which accounts for the large increase in revenue over the estimate is "Stamps," and this is almost entirely due to a windfall of Rs. 52 lakhs as probate duty on a rich estate. Ordinary stamp revenue continues to recover and is expected to reach the estimated figure.

As already explained, the current year actually opened with a larger balance than we estimated. This made it possible to place on

fixed deposit with the Government of India a sum of Rs. 50 lakhs, which will earn interest amounting to Rs. 1½ lakhs.

There are some variations under the other heads of receipts, noticeably under "XVII—Administration of Justice" and "XIX—Police," which I need not enlarge on here—the explanations will be found in the Financial Statement. The result is that, apart from the exceptional receipt of Rs. 52 lakhs, our estimated revenue on revenue account is nearly as much as we anticipated, and about Rs. 12½ lakhs more than the actual revenue of 1927-28.

On the expenditure side, the Budget as passed by the Council in March, 1928, contemplated, exclusive of expenditure not charged to revenue, the disbursement of Rs. 11,19,62,000. To this was added in the supplementary estimates in July, a sum of Rs. 7,36,000, thus making available for expenditure in the year a total sum of Rs. 11,26,98,000.

From the information at present at our disposal it appears that about Rs. 22½ lakhs of this will not be spent, and the main contributory causes are the following: Savings are expected under "Survey and Settlement." Again, the full amount voted for the revision of the pay of certain ranks of the Calcutta and Bengal Police and of the head-warders and warders of the Jail Department will not be spent this year, mainly owing to vacancies. A smaller number of officers having been granted leave out of India, there will be savings under "Leave Allowances" under the heads "General Administration" and "Administration of Justice" in the High Commissioner's budget. The Chittagong Port having been declared a major port—and thereby going under the Government of India—the provision made for the Port establishment there will not be required. Under "Education," building grants will not be spent in full, and savings are expected under "Pay of Masters and Mistresses." The payment of the non-recurring grant of Rs. 50,000 to the Calcutta Medical Institute has been postponed till next year, as the Institute authorities not having made sufficient progress on their new Hospital Block have not complied with the conditions so as to justify payment this year. The Bihar and Orissa Government have not been able to work up to the full budget grant for the Indian Mental Hospital at Kankee. These are the chief reasons for the decrease in expenditure under the head "Medical." Owing to the delay of the Asansol Municipality in finally approving their water-supply scheme, the grant of Rs. 75,000 to that Municipality will not be required this year, nor will the provision of one lakh made under "Public Health" for the purchase of anti-cholera vaccine in case of emergency be utilised, as sufficient vaccine for the year's needs is being manufactured in our own laboratories.

On the other hand, there is an increase over the original estimate in the pensionary charges, though the total is less than the actual expenditure of last year. It is difficult to estimate accurately under this head as the expenditure depends on the number of pensioners on the roll and the amount of pension payable monthly to them, factors which vary from year to year. Other heads do not call for special comment. So much for the estimates of the revenue side of the accounts.

Outside the revenue account, the loan of Rs. 15 lakhs for the Port of Chittagong has been adjusted with the Government of India, now that Chittagong has been declared a major port. The adjustment is made by this item appearing both in the receipt and expenditure sides of the account. Loans to be received from the Government of India on the 31st March for the works which are being carried out from this source will not be utilised in full this year. Delay in the receipt of the dragline excavators for the Damodar Canal, slow progress in the construction of the new Legislative Council Chamber owing to the work required in piling the foundations, the inability of the railway authorities to spend in full the budget grant in connection with the construction of roadways and footpaths across the new Bally Bridge, contribute largely to the smaller expenditure in this section of the accounts.

A new item entitled "Suspense" appears on both sides of the accounts both under this year's revised and in next year's budget accounts. This is merely a method of adjustment of accounts and the amounts mainly represent "road and public works cess collections of other districts," that is to say, cesses collected in one district but not remitted to the others within the month and so kept in suspense pending adjustment. These transactions have hitherto appeared in the central accounts but the Accountant-General has intimated that as they relate to provincial heads, they should properly be classified as provincial. According to the figures supplied by the Accountant-General the transactions show estimated receipts of Rs. 12,20,000 against estimated expenditure of Rs. 11,60,000. The next year's estimate shows both estimated receipts and expenditure at Rs. 11,50,000.

Taking the revenue and capital accounts together, but excluding the transactions on account of the adjustment of the loan of Rs. 15 lakhs for the Chittagong Port, the total savings of this year are estimated at about Rs. 27,00,000.

With the additional income and the reduced expenditure during this year, we expect to end with a surplus of about Rs. 34 lakhs, that is to say, the anticipated closing balance on present information is Rs. 2,53,40,000 against an opening balance of Rs. 2,19,52,000. I would again remind the House that this surplus is due to the windfall of Rs. 52 lakhs which I have already mentioned, and but for this there would have been a deficit of about Rs. 18 lakhs this year.

To sum up, our total revenue from all sources this year, so far as can be foreseen now, will amount to Rs. 12,17,73,000 against the sanctioned estimate of Rs. 11,45,53,000 and the expenditure to Rs. 11,83,85,000 against the sanctioned grant of Rs. 11,96,00,000 and the year will close with a balance of Rs. 2,53,40,000. It has to be remembered that this closing balance includes Rs. 12,51,000 in the Famine Relief Fund, Rs. 1,59,000 for the Government Press Depreciation Fund and Rs. 26,23,000 representing the unspent balances of loans taken from the Provincial Loans Fund. This latter sum is, of course, earmarked for expenditure on particular works in the coming year.

3 p.m.

Last year, before dealing with the estimated receipts and expenditure of 1928-29, I pointed out a number of changes in classification made in the estimates. These changes have all been introduced in this year's accounts. The following further changes in classification have been made in the estimates of the coming year: It has been decided by the Government of India to exhibit the receipts and expenditure on account of plain paper used with court-fee stamps under the heads "XXXIV" and "46—Stationery and Printing" instead of under the heads "VII" and "7—Stamps."

Repayments of capital borrowed from the Provincial Loans Fund have hitherto been shown in the estimates outside the Revenue Account, but as the capital is repaid from current revenues, it has been decided to debit the repayments in the Revenue Section of the accounts under the head "21 Reduction or avoidance of debt." This gives a more accurate picture of the liabilities to be borne by provincial revenues.

I now take up the estimates for 1929-30.

As already explained, we expect to start the year 1929-30 with a sum of Rs. 2,53,40,000 in our balances. With this large sum in hand, it may be thought that the development of various Government activities need no longer be restricted. But there are limiting factors. I have already stated that the balance includes over Rs. 12 lakhs of the Famine Relief Fund and over Rs. 26 lakhs of borrowed money which is meant for certain particular projects. It includes the exceptional receipt of Rs. 52 lakhs, a piece of good fortune not likely to recur. But the most important consideration is that apart from natural growth, we have schemes in progress which involve further recurring expenditure for their completion, and that our normal annual expenditure is in excess of our normal annual revenue. Consequently until that state of affairs is remedied, it is unwise to go on incurring fresh recurring liabilities beyond those which cannot be avoided. Many of the larger and important schemes which involve

capital expenditure necessitate also considerable recurring expenditure and, therefore, have to be considered as outside the present financial capacity of the province. In the ensuing year's estimate, therefore, it has only been possible to make provision for schemes involving expenditure of a recurring nature up to an ultimate amount of about Rs. 2 lakhs a year. This is expenditure to which we are either already committed or which is of such a nature that it cannot be avoided or postponed. About one lakh of this amount will be spent in the coming year.

Expenditure of a non-recurring character which does not involve future liabilities is not open to the same objections and in view of the state of our balances and of the impossibility of merely marking time, we have felt justified in allotting Rs. 40 lakhs of ultimate expenditure for schemes of this nature. Of this sum, Rs. 10 lakhs have been provided for the commutation of pensions of officers of all departments and the remaining Rs. 30 lakhs are distributed through all the spheres of Government activity, the distribution being roughly Rs. 15 lakhs to each of the reserved and transferred sides. The schemes are all detailed in the Financial Statement under the appropriate heads and I will mention the more important ones presently.

To state next year's position briefly, I estimate our total revenue from all sources at Rs. 11,69,48,000 while the provision for expenditure is Rs. 12,58,23,000, including the new expenditure which I have just mentioned, i.e., our proposed expenditure exceeds our expected income by about Rs. 88¾ lakhs. This is the extent to which the balances will be drawn on and the estimated closing balance will stand at Rs. 1,64,65,000.

Let me now refer very briefly to the estimate of receipts for 1929-30. I anticipate a total revenue, exclusive of loan operations, of Rs. 11,11,23,000, an increase of about Rs. 17½ lakhs on the revised estimate of the current year, excluding the windfall of Rs. 52 lakhs. Of this increase, excluding the sale proceeds of plain paper for use with court-fee stamps, the receipts for which, viz., Rs. 3,65,000 have been included in the estimate for 1929-30 under "XXXIV —Stationery and Printing," Rs. 14 lakhs come under the head "Stamps." The amendment of the Bengal Tenancy Act and the consequent arrangements by which the cost of transmission of landlords' fees and the process fees are payable in stamps, account for an increase of Rs. 16 lakhs. This is a rough estimate of the receipts on this account based on such information as is at present obtainable and is liable to modification as experience is gained from actual working. It is not a net increase of revenue and is not intended to be. The fees are to be fixed so as to make the system pay for itself, and a corresponding amount will be required for expenditure in the sub-registry offices and collectorates and for forms to deal with the work

of transmission of landlords' fees and service of processes. Accordingly, on the expenditure side Rs. 6½ lakhs have been provided under the head "9—Registration," Rs. 9 lakhs under "22—General Administration," and the necessary amount under "Stationery and Printing," the annual cost of forms being estimated at Rs. 50,000. Apart from this special receipt, a small increase is expected in the ordinary stamp revenue.

Under "Land Revenue" an increase of nearly Rs. 3½ lakhs is expected. This is entirely due to the recovery of Survey and Settlement charges, which had to be postponed this year owing to agricultural distress prevailing in certain districts. A sum of Rs. 4 lakhs under the head "Extraordinary receipts" is expected from the sale proceeds of the Government land at Porabazar, Chowringhee. Excise revenue in recent years has shown no great power of expansion and so only a small increase in revenue is anticipated under this head.

As it is unlikely that we shall be able to place in fixed deposit with the Government of India any portion of our balances next year, revenue under the head "XVI—Interest" will be less. The increase in the next year's estimate under the head "XXXIV—Stationery and Printing" is mainly due to the change in classification already referred to, whereby the sale proceeds of plain paper for use with court-fee stamps will be credited to this head instead of to the head "VII Stamps."

There are variations under other minor heads of revenue, which call for no special comment. Our total receipts on revenue account, omitting the special receipt of Rs. 16 lakhs for work in connection with the Bengal Tenancy Act, are Rs. 10,95,23,000 (Rs. 11,11,23,000 – Rs. 16,00,000). This is about Rs. 1½ lakhs more than the revised estimate of receipts for this year, with the extraordinary stamp revenue of Rs. 52 lakhs omitted, viz., Rs. 10,93,78,000 (Rs. 11,45,78,000 – Rs. 52,00,000).

As regards our loan transactions, we are not in a position to borrow for new schemes when we do not possess ordinary revenues sufficient to meet normal expenditure. Our proposed borrowings are limited to Rs. 24 lakhs as against Rs. 32¼ lakhs this year and are intended to provide for the expenditure expected to be incurred on the schemes in progress, viz., Damodar Canal, Council Chamber, etc.

As for total expenditure, we have budgeted for an estimated increase of Rs. 74,38,000 over the revised estimate of the current year and about Rs. 88¾ lakhs over and above our anticipated revenue. We are drawing from our balances to the extent of the last figure. The expenditure estimate includes what is necessary for ordinary growth, for the completion of schemes already initiated (noticeably the full year's requirements for the revision of the pay of the subordinate police and jail staff), as well as for the new schemes to which

I have already referred. It also includes the Rs. 16 lakhs, already mentioned, required for the transmission of landlords' fees and service of processes owing to the amendment of the Bengal Tenancy Act. The objects for which the new expenditure is being incurred are set out under the various heads in the Financial Statement. I will refer briefly to the more important features.

Under "Land Revenue," provision has been made to continue colonization projects in the Sundarbans; and a scheme for raiyatwari settlement of char lands in Bakarganj is being initiated. It will cost Rs. 1,89,000, the expenditure being spread over several years, and the first instalment of Rs. 56,000 finds a place in next years's budget. This is to survey and demarcate lands, and construct embankments and tanks, so that raiyats may be settled on the land, for which there is a strong demand. The scheme, besides satisfying land hunger, will be remunerative, as Government will receive salami and rent from thus developing its property. Another item that may be mentioned is the provision for beginning the traverse survey of the Rangpur district in accordance with the survey and settlement programme. The cost of constructing settlement buildings at Chinsura, Malda and Suri (Birbhum), where settlement operations are in progress has been included in the Civil Works budget. Under "Forest," funds have been provided for khedda operations in the Cox's Bazar Division and for the purchase of a few tractors and charcoal-making machines. The outlay is expected to be remunerative. As has already been mentioned, as a result of the amendment in the Bengal Tenancy Act, Registration offices will have to undertake much extra work in connection with the transmission of landlords' fees. A provision of Rs. 6½ lakhs has therefore been made under the head "Registration" to meet the increased expenditure in establishment charges and contingencies that will be necessary on this account.

The irrigation charges include this Government's share of the cost of the reconstruction of certain Calcutta bridges which are being erected by the Calcutta Improvement Trust. A new item, shown under XIII, is Rs. 1 lakh towards the cost of the construction of the new Alipore bridge, work on which will be undertaken next year. Money has also been allotted for a sluice-shutter for the Midnapore Canal, for the construction of locks and sluices in the Lower Kumar River in order to improve the Madaripur Bhil Route, and for dredging the western end of the Hitalya Doania and Sabtaramukhi crossing on the Sundarbans Steamer Route. Owing to delay in the receipt of the dragline excavators, the construction of the Damodar Canal has been retarded this year. It is hoped that excavation work will be pushed on with vigour next year, and funds have been provided accordingly.

The General Administration budget is nearly Rs. 14½ lakhs over that of the revised estimate of the current year. This is accounted for partly by the fact that Rs. 9 lakhs have been provided to meet the cost of additional staff and contingent expenditure that will be necessary in the district offices to deal with the work of landlords' fees arising out of the amendment of the Bengal Tenancy Act. A sum of Rs. 2½ lakhs has been entered for the cost of holding the elections to the Indian and Provincial legislatures which are due to take place during the coming year. Another new feature that may be mentioned is an increase of the cadre of Deputy Magistrates and Deputy Collectors, which will ultimately cost Rs. 51,000. A beginning will be made next year at a cost of Rs. 6,000.

An increase of a little over Rs. 2 lakhs in the Administration of Justice budget is due mainly to ordinary growth in the charges for establishment, and includes Rs. 13,000 for the purchase of steel-racks and almirahs for the Original Side of the High Court. Funds to begin the construction of a new civil court building at Asansol at an ultimate estimated cost of Rs. 1,62,500, as well as to carry on certain works in progress, have been provided under "41- Civil Works."

An increase of about a lakh in the Jails budget is covered by several items, each involving small expenditure, but the main increase is due to larger outlay anticipated on raw materials owing to the expansion of the woollen mills in Dacca Jail. Against this, receipts from jail manufactures are expected to be higher. Funds have been allotted for improving the water-supply and extending the leper ward of Midnapore Jail and enlarging the sub-jail at Netrakona.

The Police budget is about Rs. 16 lakhs more than the revised estimate for the current year. This is required to meet the full year's cost of the revised pay, sanctioned from 1st November last year, of the subordinate ranks of the Bengal and Calcutta Police. The estimate also includes about Rs. 30,000 for a similar increase of pay of the Indian ranks of the Eastern Frontier Rifles: and over Rs. 60,000 for police required for King George's Dock from April next. It may be noted that 7/10ths of this latter sum is recovered from the Port Commissioners and credit is taken for this on the receipt side of the Budget. It is proposed to buy a weigh-bridge costing Rs. 20,950 for the Public Vehicles Department, Calcutta. As regards buildings, the only new projects contemplated are barracks for the South District Traffic Police at Porabazar, Calcutta, and a new police hospital at Jessore.

The increase under "Stationery and Printing" is mainly due to the increased work and larger supplies of paper required for printing forms in connection with the transmission of landlords' fees, the Council elections which are due next year and the growing needs of

departments generally. It also includes the cost of plain paper for use with court-fee stamps which formerly used to be classified under "Stamps."

The grant for "Education" is about Rs. 4½ lakhs higher. A sum of Rs. 3½ lakhs has been provided to carry on the construction of the Moslem Hall of Dacca University, which was begun this year, and provision has also been made to continue the policy of encouraging agricultural education in secondary schools. In order to comply with the Calcutta University regulations regarding the attendance of college students at lectures in the vernaculars, extra staff is required in certain Government colleges at an ultimate cost of over Rs. 23,000 and a provision of Rs. 10,200 has been made to meet the estimated expenditure next year on this account. Over Rs. 2 lakhs have been devoted to non-recurring grants to schools and colleges for buildings, equipment and other purposes, the details of which are fully set forth in the Financial Statement. These include Rs. 25,000 for grants to non-Government schools for the promotion of physical culture.

Under the "Education" section of "Civil Works," money has been allotted for the acquisition of the Christ Church School building at a cost of Rs. 2,50,000 for subsequent conversion into a hostel for the students of the Bethune College, Calcutta; for the construction of a new building for the Moslem Institute, Calcutta, at an estimated cost of Rs. 1,50,000; and for electric installation in the Calcutta Madrassa.

The most important item under the Medical head is the provision of one lakh for a grant towards the extension of the tuberculosis sanitarium at Jadavpur. The Calcutta Medical Aid and Research Society has established a Tuberculosis Hospital at Jadavpur, which is doing excellent work and it is proposed to give a non-recurring grant of one lakh to enable it to extend the hospital by 50 beds. Funds have also been provided for carrying on the construction of the medical school buildings at Chittagong and Jalpaiguri and for the extension of the Eden Hospital. The new buildings contemplated next year are a residence for the Civil Surgeon at Rajshahi and quarters for nurses at the Gobra Leper Hospital.

The Public Health Department has also shared in the distribution of the available resources. It is intended to make grants to the Narayanganj, Asansol, Dacca, Bansbaria and Chandpur municipalities to enable them to improve their water-supply. In the loans estimate Rs. 3,64,000 have been provided for advances to the Dacca, Howrah, Faridpur, Narayanganj and Bansbaria municipalities towards the cost of their water-works schemes. The rural public health organisation continues to expand and the estimated expenditure has been raised to Rs. 9 lakhs next year from this year's figure of Rs. 6½ lakhs.

In the Agriculture budget, we have provided for the purchase of a motor ambulance for the Bengal Veterinary College to replace the present horse-drawn ambulance and for the appointment of an Inspector and the purchase of magic lanterns, slides, etc., for propaganda work of the Veterinary Department. The establishment of a demonstration farm at Rajbari in the Goalundo subdivision of the Faridpur district, towards which local contributions are being given, and a demonstration and seed farm at Char Badna in the Bakarganj district have been provided for. The existing staff for the important work of the audit and supervision of co-operative societies is inadequate, and, as audit fees are received from the societies, it is incumbent on Government to increase the staff. Next year, it is proposed to appoint 14 more auditors and 2 additional Inspectors of Co-operative Societies at an immediate cost of Rs. 15,178 which will ultimately rise to over Rs. 32,000.

In the Civil Works budget, a sum of Rs. 17,100 is provided to erect wire-fencing round the cattle-farm at Raugpur; and provision has been made for electric installations in the Bengal Veterinary College, Belgachia, and in the herbarium and quarters at the Royal Botanic Garden, Sibpur.

The encouragement of industries has also received attention. It is intended to establish a boot-and-shoe making department in the Bengal Tanning Institute at an annual cost of over Rs. 7,000 on an experimental basis for three years. Another project is to employ a temporary staff at a cost of Rs. 5,655 per annum for the demonstration of improved processes of manufacturing brass and bell-metal articles. A temporary staff for the demonstration of improved processes of refining shellac and of manufacturing bar and moulded soap, suitable for small factory owners and cottage-workers has already been sanctioned this year. It is proposed to continue the staff for the whole of next year at a cost of Rs. 5,400. A provision of Rs. 20,000 has also been made in the Civil Works budget for the construction of a dispensary and Principal's quarters for the Comilla Survey School.

Taking all the schemes of all departments included under "41—Civil Works," we intend to initiate projects estimated eventually to cost about Rs. 15 lakhs, of which we propose to spend about Rs. 11 lakhs in 1929-30. I have already mentioned some of the important new proposals under each major head, and a detailed list of works in progress and the new works proposed to be undertaken next year is given in Appendix "B" of the Financial Statement.

Finally, I should mention an item which affects all departments of Government. In addition to the amount which is shown by experience to be required for normal and compulsory commutations, we have allocated Rs. 10 lakhs for commutation of pensions in view of the very large number of applications. This year's grant, which was

restricted for financial reasons, has had to be devoted to obligatory commutations, and a large number of officers, many of whom applied in 1927, have been unable to commute a portion of their pensions. The sum of Rs. 10 lakhs will provide for less than half of the requirements, but it is the most that can be done at present. This will help to relieve the situation to a certain extent to the benefit of these retired officers.

As regards loans given by Government, we expect to recover Rs. 14,18,000 in 1929-30 in repayment of advances made to agriculturists, co-operative societies and local bodies, as well as loans under the Drainage and Embankment Act. In the coming year, we propose to lend Rs. 11,45,000, including Rs. 50,000 to the Co-operative Silk Union at Malda; Rs. 45,000 to weaving and industrial unions and societies; Rs. 3,96,000 to agriculturists under the Land Improvement and Agricultural Loans Act, Rs. 4,64,000 to local bodies for drainage and water-supply projects and Rs. 1½ lakhs as an advance to the Commissioners for the New Howrah Bridge to cover probable preliminary expenses.

I think I may claim that within the resources at our disposal, we have made a fair distribution throughout the various branches of the administration. New expenditure totalling Rs. 42 lakhs is the measure of our contemplated advance, and let me say once again that this has been made possible only by the exceptional piece of good fortune which increases our stamp revenue by Rs. 52 lakhs. It is true that the advance is a short one, and cannot in present conditions continue. Of the new expenditure, only Rs. 2 lakhs are for activities of a recurring nature, and we can make no sustained progress until we have larger and expanding resources. Our contribution to the Central Government has been finally remitted, but that, as has been pointed out often before, does not give us adequate relief or place us in a position to meet our responsibilities. In my Budget speech last year I referred to the visit of the Statutory Commission and said that the Government of Bengal would urge, as one of the most fundamental points, that the Financial Settlement was wrong *ab initio* and treated Bengal most unfairly and that it must be completely revised, if the new constitution is to have any chance of success in Bengal. Since then the Commission has visited Bengal, and first Mr. Cassells, and then Sir Provash Chunder Mitter and myself, put our case as strongly as we possibly could. Every other witness, who appeared before the Commission on behalf of Bengal, sounded the same note, and I thank them all very much for their strong support. We presented a united front and I feel convinced that we impressed the Members of the Commission that we have a strong case. We can now only wait for the results of their deliberations and hope for the very best.

3-30 p.m.

Motions of no confidence in Ministers.

Maulvi HURUL HUQ CHAUDHURI: Sir, I have tabled two motions in my name; may I have your permission to move both of them at the same time, because my remarks will be the same.

Mr. PRESIDENT: It has always been the practice in this Council to take up separately motions of no confidence in the Ministers, I do not see any reason why there should be any departure from that.

Maulvi NURUL HUQ CHAUDHURI: I move that this Council has no confidence in the Hon'ble Nawab Musharruf Hosain, Khan Bahadur, the Minister for Education.

Sir, I have been compelled to bring this motion of no confidence in the Ministers——

Mr. PRESIDENT: Probably you have misunderstood me. What I meant was that these two motions should be put separately; but, you can formally move both at the same time, so that these may be discussed together.

Maulvi NURUL HUQ CHAUDHURI: I also beg to move that this Council has no confidence in the Hon'ble Raja Bhupendra Narayan Sinha Bahadur, of Nashipur, the Minister for Local Self-Government.

I have been compelled to bring this motion of no confidence in the Ministers by an overpowering sense of public duty and the obligation which, in common with the rest of the members of this House, I owe to the electors and the people of Bengal. I hope the House will not minimise the gravity of the issues which we are going to raise on this motion. I charge the Ministers of violating the constitution. I charge them further of corrupting the public life of the country and transgressing the well known and accepted canons of morality and decency in the transaction of public affairs. I have been a member of this House for nearly one year. I have watched with pain and humiliation that never during this period in any department under the administration of the Ministers there had been so much as even a semblance or pretence of responsible Government. For Government according to the wishes of the people and their representatives the Ministers have invented a system of management by bribery, corruption and jobbery. I will not discuss whether corruption has led the way to Ministerial irresponsibility or irresponsibility has necessitated a recourse to corruption as an instrument of Government in the hands of the Ministers. Whatever might be their origin, it is an open secret

that corruption and irresponsibility have gone hand in hand in the Government of the transferred subjects. My own experience in the House is limited. The House, I dare say, will also have the pleasure of hearing the stories of corruption which went to the making of the Ministry, the scandal and disgrace which marked its career from the outset and the method by which it succeeded in remaining in office, from those whose experience has been longer than mine and who can speak with an intimate and first-hand knowledge of the circumstances. The House will learn from their mouths a remarkable catena of circumstances showing the inwardness of the Ministers, a story of intrigue and corruption beginning with the fall of the last Ministry down to the present crisis when many members of this House and especially the younger men of the House have risen in revolt against the public scandal which has disgraced and humiliated Bengal and besmirched her fair name. They will reveal some of the darkest chapters of diarchy—how Ministers flouted public opinion, sold offices of Government and liquor licences in order to enlist Parliamentary support for their Ministry. For some time past there has been a good deal of public discontent about the practice of corruption and jobbery. The matter was represented to the Simon Commission. Every educated man in Bengal has heard of it. The members of this House have known of it, but there has been no public protest till one of the nominated members of this House, a gentleman who is held in high esteem by all of us, gave notice regarding a liquor shop at Bowbazar. It was impossible to stifle a discussion of the matter further. Mr. Atiqullah sent notice of his motion on the 11th instant but the motion itself was not moved on that day as it was not previously discussed by the parties. The next day both of us sent notice of the same motion, as it was doubtful whether Mr. Atiqullah could repeat his notice. The House will hear Mr. Atiqullah as regards his personal knowledge and experience. The charge of corruption against the Ministers relates to three main heads. Firstly, in relation to the members of the Council; secondly, in the administration of the Excise Department, and, thirdly, in the distribution of patronage. As regards the first head almost every one of us has heard the general allegation but the House will now get an opportunity of hearing a few instances from members whose personal knowledge entitles them to speak about them.

Mr. PRESIDENT: Are you basing your remarks on your personal knowledge or experience?

Maulvi NURUL HUQ CHAUDHURI: I do in some cases but as regards certain other matters which I will mention just now I think some other members who will follow me will make it definitely clear——

Mr. PRESIDENT: But my directions to you are that you should confine your remarks to such matters as you yourself know to be true.

Maulvi NURUL HUQ CHAUDHURI: All right. It is a favourite dictum of the Hon'ble Minister in charge of Education that only persons who are either capable of bribing or willing to be bribed should come to the Council and no body who does not belong to either of these categories has any business to come to the Council. This is his estimate of honesty and integrity of the members of the Council.

3-45 p.m.

As regards the administration of the Excise Department the Secretary and the heads of the department will bear me out that since the formation of the present Ministry there has been a great deal of interference due to political pressure in the administration of the department. The parties applying for licence now approach the Minister over the heads of the department. Politicians are encouraged to take sides in the quarrels of liquor vendors and are rewarded with handsome remunerations. It is well known that the Minister in some cases had made it a condition of hearing an application or an appeal that such and such lawyer M.L.C. nominated by himself should be engaged and fancy fees should be paid to the fortunate M.L.C. I shall refer to certain instances. The first case is that of the Nankin Restuarant. A mufassal M.L.C. from Chittagong was engaged at the instance of the Minister and a fee of Rs. 1,500 was paid for one day's appearance. The second case is that of Eugene & Co. A Calcutta M.L.C. was approached at the instance of the Minister but the arrangement fell through. The third case is that of Dinshaw Sorabjee *vs.* Mazda. A certain M.L.C. was approached by one party at the direction of the Minister and he was offered any fee that he would name but the M.L.C. refused. The fourth case is that of Panalal Shaha. On the very day of the death of the licence-holder the licence was given to the son of an M.L.C. and later on when he surrendered the licence it was issued to the editor of *Vote Ranga*, which, since the date of the grant of the licence has become the chief ministerial organ in Bengal. The facts of the case were published in the *Forward* on the 17th instant.

Mr. PRESIDENT: Are you taking the responsibility of that statement?

Maulvi NURUL HUQ CHAUDHURI: Yes, Sir.

Sir, I will follow your direction and shall not say anything which is not within my personal knowledge.

As regards the distribution of patronage, I do not maintain that M.L.Cs. should be disqualified to hold offices or that their disqualification should be extended to their sons and relations. But I accuse

the Minister of jobbery because on his own admission he had given appointments to M.L.Cs. on condition of their support. He had to refuse an appointment to his brother's son and apologised by saying that he would lose his own appointment if he preferred his own nephew to that of the M.L.C.'s. I will ask the House to note especially that in each case the candidate of the M.L.C.'s was either a matric or an under-matric and had been preferred to several B.As. and M.As. both Hindus and Moslems.

I am prepared to give the names of the M.L.Cs. who had anything to do with these scandals if you, Sir, would permit me and if the Hon'ble Minister would ask for their names.

I shall now speak on the second issue which I have raised. Under the constitution the Ministers have very definite rôles assigned to them. It was undoubtedly the intention of the framers of the constitution that the Ministers should be responsible to the Council as the latter in its turn should be responsible to the electors. It is an elementary proposition of politics that if I support the Ministers I make myself responsible for all his actions and policies both in respect of what he does as well as in respect of what he fails to do. Does it not, therefore, follow as a matter of logic and propriety that if I have to be responsible for the actions and policies of Ministers, I have a right to be consulted as regards what those policies should be. On any other condition it would be impossible for any self-respecting member of this House, who wants to do his duty to his constituency, to give his support to the Minister or for an honest Minister to bargain for such support. Sir, it is a matter of extreme regret to us that the officials and the Europeans do not always realise that we have our own responsibilities to our constituencies and it is impossible on our part to discharge those responsibilities unless we have the means of influencing the actions and policies of the Ministers according to the desires and wishes of our constituencies. Most of us have to give pledges to our constituencies when we are returned. We cannot fulfil our pledges and respect our obligations to our constituencies if the Ministers whom we support refuse to accept our advice and do not admit us to consultations in important matters dealing with policies. The House may be aware that on the occasion of every important debate the very members who professed to belong to his party or group were not seldom among his worst critics and I am quite certain that they had known as little of the character of the proposals for reforming the system of secondary and University education as any member of the opposition and had as little to do in shaping the educational policies of the Hon'ble Minister. It has been said that the fault was not entirely of the Ministers but lay primarily with the officials and European benches who supply the main support and the voting strength by which Ministers are kept in office and on whose good will and toleration they have depended for their existence more

than upon their own followers. In the course of the present debate the Government and the members of the European party will have to say how far the accusation is just and true. The Ministers as soon as they found themselves in office were assured of 44 official and European votes. They discovered that they might easily get the additional support for a working majority by the influence of their official position, by a judicious distribution of patronage and by other questionable methods. The Ministers never considered their supporters as a party in the strict sense or held together by any other than a purely personal bond. It must be within the recollection of the House that as soon as a Minister of this type had fallen his party disappeared with him. So long, therefore, as the European votes will be placed at the command of the Ministers without reference to the merits of any policy pursued by them it will be impossible for either the supporters of the Ministry or the opposition to create any constitutional convention in the transferred subjects under the administration of the Ministers. It is true we can exercise our undoubted rights to overthrow the Ministers as sometimes we have been able to do. The motion of no confidence is, however, the last remedy in the hands of the members to compel the resignation of an unpopular Ministry. But such occasional and exceptional use of what may be called the prerogative to the members can never be a normal method of Government.

The only method by which Ministerial responsibility can be enforced in practice is the machinery of the party which should have the privilege of consultation in important matters and the right to lay down the policies. This is not merely a right of the party but also a right of the opposition for the opposition is entitled to know the policy of the Ministers. I can appeal to this House and it is within the knowledge of this House that on the matter of Ministerial policy every party and every member of this House know as little as the Minister himself.

Sir, I have stated the constitutional issue as briefly as possible before the whole House. We are not challenging the existence of diarchy. We stand here as the champion of the constitution. No body should be stampeded by the cry that diarchy is in danger from our side. I have pointed out the reason why diarchy has failed in the past and how it can be made to work in future. The key to the constitution is held by the Government and the Europeans. If they would agree to stand aloof for a time even though they cannot vote with us we might easily purge the Government of the abuses that have crept into it and no future Minister will be tempted to practice corruption as a method of keeping himself in office. We are prepared to co-operate with them for setting up a new Ministry which will command the respect and confidence of the country but we cannot support a Ministry which has acquired a public reputation for dishonesty.

Sir, I would specially appeal to the European members whose freedom is not fettered in any way not to refuse the hand of co-operation. I would recall to the Council the Instrument of Instructions of our Gracious Sovereign which enjoins the Governor to advise Ministers in regard to their relation to the Legislative Council. Can it be said that that relation has been such that by the continuance of it we may enjoy the benefits of self-government. So far the only habit of political education that we have acquired is familiarity with certain forms of corruption which are known to the Government and are known to every one else in this House.

I will not question the sincerity of the Government or European members but the only acid test of sincerity which the country would accept is through co-operation with the popular parties to purify the public life of the country and compel the Ministers to respect the constitution.

Sir, I am aware that the Swaraj Party will ridicule my faith in the constitution. They cannot sympathise with our attempt to rehabilitate the constitution. But I must acknowledge their patriotism and their high sense of duty of which they gave proof on numerous occasions. I hope, Sir, when this House is engaged in making a serious effort to rid the administration of corruption and jobbery, which the actions of certain Ministers have introduced into it, they will not refuse their co-operation with us for vindicating the honour of Bengal and to preserve what more than anything else is the greatest asset of a nation, namely, the honesty in public life.

4 p.m.

Before I conclude I would beg the House to remember that we have been moved by no spirit of factious opposition. We cannot be suspected of any personal ambitions. We are neither disqualified proprietors nor planters with long purses qualities which are deemed essential for office and considered necessary for carrying on a Ministry. We have brought this motion to show to the world that the constitution does not lack genuine friends amongst the Indians and that if it has failed it has failed in spite of our best efforts.

Sir, it is not the Ministers alone who are on their trial to-day; every party and every individual member of this House is also on his trial. Whatever may be the judgment of this House, whether it is in favour of, or adverse to my motion, the final judgment upon our conduct will be passed by public opinion not simply of this province but of the whole civilised world.

To the Government we may say with the sanction of the country behind our back "if you have nothing better to offer in the name of reform than an irresponsible Ministry and corruption of public life then take back your gift. We value our honesty and character much more than your questionable boons."

Mr. W. L. TRAVERS: Once more it is my lot to place before this Council the policy of the British group—our policy to-day and our policy in regard to the future. The hon'ble mover has made certain allegations of bribery or jobbery against the Hon'ble Minister. I regret we could not catch those in detail owing to the terrible acoustics of this Chamber. I have to say this and I say with determination, that if those charges of bribery are substantiated we should at once withdraw our support from any Minister. Meanwhile we have to listen to the Minister's reply and we are assured that those charges are unfounded (he does not at the moment appear to be very much alarmed).

I hope that you, Sir, and the Council will forgive me, if in the remainder of what I have to say I repeat what I have said before upon such motions. One cannot help repetition to some extent. Until recently the British group in this Council have supported Ministers, our main reason for so doing being that we always thought it our duty to do what we can to enable the constitution to function in this province. We were forced into that position to some extent by the determined action of a party whose policy has been to smash the constitution irrespective of the merits or demerits of any Minister who might be appointed. We were also of opinion in regard to social reform and legislation for that purpose, that it were better done if possible by Ministers and by voluntary effort supporting those Ministers. Hence until recently we have done all we have been able to, or we could, to assist the Ministers by speech and by word on motions similar to that before the Council to-day and in regard to the salary motions in the budget.

Now as I said on the occasion of the last budget debate there has been a change in the situation. In the last Council there was scarcely a majority for the constitution; the scales, if I may say so, were weighed very evenly. Now, however, in this Council there is a majority for diarchy, a very considerable majority as was proved in the motion for the Ministers' salary. For various reasons that majority is non-effective and non-operative. It is not our business nor indeed our desire to inquire into those reasons. All that we say is that certain leaders of the pro-constitution group do not agree and in consequence there has been faction fight and the pro-constitution majority is non-operative. Last year Sir Provash Chunder Mitter and the Nawab Sahib narrowly escaped defeat on a motion of no confidence. The year before the Ministry was defeated and again to-day there is another motion of no confidence. Now I should like to say that the British group are tired of this game of Minister-making and would-be-Minister speculation, if I may put it as that, and I must say what I said on the last occasion. It is this: that if the Ministers are

defeated to-day we are determined that we will not support any other Minister who may have His Excellency's confidence.

Mr. J. M. SEN GUPTA: That is exactly what you said on the last occasion.

Mr. W. L. TRAVERS: I will go further than that. I will say this that, should there be a change in the Ministry we will not support any Minister who has His Excellency's confidence except when that Minister is able to give us real guarantees that he will have a stable majority and a real majority. We consider that frequent transfers in the departments that have taken place are a serious disaster to the province; we consider, moreover, that if a Minister has continually to try to maintain his position it is a serious disaster to the province. We consider also that there should be and ought to be a continuity of policy in regard to the transferred departments and we have yet to discover that policy.

To bring about the progress that we desire we consider it an essential part of our duty to-day to do what we can to assist forward the cause of social reform and for that progress there must be a stable majority. We support the Ministers to-day in the hope that there will be that stable majority.

In conclusion I am not going to go into the merits and demerits of diarchy and all that lie therein to-day. That has been debated again and again in this Council and I am sure almost every member of this Council is tired of it. Besides, the question of diarchy and the constitution itself are in the melting pot and whatever happens in the future, there will at any rate be some change and it is useless, I think, to have further argument about a system that will shortly be altered.

Mr. SYED MD. ATIQULLAH: Sir, when leave was asked to move these motions the other day I mentioned to the House that I had a serious charge to bring against the Hon'ble Minister of Education Nawab Musharruf Hosain. My charge against the Nawab is that he has been guilty of corrupting public life by bribing and attempting to bribe members of this Council. I feel in duty bound to this honourable House to adduce facts in support of this serious charge and I propose to confine myself to those facts which are within my personal knowledge. I am not going to ask the House to rely on mere hearsays and rumours, for I know full well that charges of corruption are most difficult to prove as both the parties are equally guilty in the eye of law. I will therefore relate the incidents that happened to myself. I may mention that it was at the last general election that I was returned to this Council for the first time and I never had any acquaintance with Nawab Musharruf Hosain, not until I met him for the first time in

the Council. I am but a junior member of this House and do not aspire to ministerial position but when I tell the House the facts as they happened I venture to hope that the hon'ble members will agree with me that I had no option but to lay the facts before them. It is a high prerogative of this House to protect its members when they attempt to discharge their public duties in accordance with the best of their judgments against such persistent persecution to which the Hon'ble Minister has subjected me.

Sir, when after the last general election Mr. Chakravarty and Mr. (now Sir) Abdelkerim Ghuznavi were appointed Ministers, I gave my support, but after a few months' working of that ministry I was convinced like a large majority of the elected members that they had forfeited the confidence of the House and the people. So when notice was given of a motion of no confidence I made up my mind to vote for it. On the day the motion was going to be moved I went to Nawab Musharruf Hosain's house on his own invitation and then as I was coming to the Town Hall, the Nawab approached me with a bundle of Government currency notes and offered it to me. I was taken aback but as the Nawab had been actively canvassing against the Ministers and I had heard certain sinister rumours I at once realised the position and refused the offer giving him to understand what I thought of his conduct. But the same day even after the voting was over I was offered the money: this time not by the Nawab himself, but by a very near relation of his who lives with him and is dependent on him. In fact during the succeeding twenty-four hours that gentleman made the offer not less than half a dozen times, so much so that at last he thrust the money into my pocket which of course I returned and I can give that gentleman's name if the Nawab wants it.

The next incident took place in March last when a motion of no confidence was brought against Nawab Musharruf Hosain himself and Sir Provash Chunder Mitter. The Nawab then sent to me another relative of his who is also distantly related to me. That gentleman inquired of me how I was going to vote and I told him at once that I would support the motion of no confidence. Thereupon the man said that if I voted with the Nawab I would be a gainer. I told him "so you have also come to offer me a bribe on behalf of the Nawab," and asked him to leave the house. But the Nawab apparently was not to be discouraged. Again on the day the voting took place, that is the 21st March last year, another relative of the Nawab approached me in the lobby and said—I am quoting his own words—"If you vote with us you will get whatever you want." I replied "I am going to vote against the Hon'ble Minister and I want his downfall."

Mr. PRESIDENT: What proofs have you got that the gentleman who spoke to you was authorised by the Nawab to do so?

Mr. SYED MD. ATIQULLAH: Merely circumstantial evidence. A man who comes canvassing for another must have been authorised by the other.

Mr. PRESIDENT: I do not think you are right in casting any reflection on the Minister when he himself did not make any proposal to you.

Mr. SYED MD. ATIQULLAH: In this case he was his agent and he may be said to have been authorised. In any case I have already stated that the Nawab offered me a bundle of notes himself.

4-15 p.m.

Sir, Nawab Musharruf Hosain may be as rich as he brags to be, but I submit that he is not entitled to attempt to buy votes as he has so persistently tried with me. I have heard that some other members also had similar experiences with him. It is now for the House to say whether such a man holding the high position of a Minister is not a source of public danger. The administration of public departments in his charge was bound to, and has, in fact, acquired a bad reputation. In the distribution of patronage he has been betraying a cynical disregard of efficiency and public morals. The attitude taken up by the large and powerful group of Swarajists inevitably makes the position of any Minister in this Council, as constituted under the Reforms, very difficult and precarious. If a Minister under the circumstances happens to be intellectually and morally weak and does not therefore command the confidence of the public and of this House, which can only be achieved by a man of character and ability, he is bound to resort to dubious methods, if he is anxious to secure his position. We have now had the Hon'ble Nawab Musharruf Hosain in office for more than one year, but I have not yet heard a single member of this House on a single occasion suggest that he is in the slightest degree qualified to hold such a responsible office, and I have submitted to this House facts within my knowledge which disqualify him for any public position whatever. As for the Hon'ble the Raja Bahadur of Nashipur, Minister for Local Self-Government, I have nothing to allege against his public conduct. He has just emerged into public life. But it is unfortunate that he has accepted joint responsibility with such a colleague as the Nawab, and having no following of his own has to depend on such few votes as the Nawab may scrape together, by dubious means, in addition to the block consisting of officials—nominated and Europeans.

I have narrated as briefly as possible the facts relating to the persistent and most barefaced attempts made by Nawab Musharruf Hosain to secure my vote by bribery. I have come to this Council

because I believe in the possibilities of responsible Government which alone gives every man, ambitious to serve his country honestly and faithfully, an opportunity which no other form of government gives. I realise, however, that the restrictions that have been imposed, though undoubtedly intended in utter good faith as safeguards, have made the growth of true responsibility difficult, and we are all earnestly hoping that the system of dual control will be replaced by a harmonious constitution. In an assembly like this, some undesirables are bound to creep in, and, as a member of the representative section of this House, I am naturally anxious that it should be purged of all taint and stigma, so that responsible government, which is, I am convinced, the only possible solution of the present political situation, may be developed along healthy lines. This is in the best interests of all the parties concerned. I am a confirmed constitutionalist in the above sense, and it is obvious to me that if I acquiesced in bolstering up a Minister who, to my knowledge, is wanting in a sense of public morality, and is also so deficiently equipped intellectually——.

Mr. PRESIDENT: Order, Order. I cannot allow you to make those remarks. You should not cast any reflection on his character as a private individual. You can only attack his conduct, action or policy as a Minister.

Mr. D. N. ROY: On a point of order, Sir. If a Minister has a bad character, may not that fact be brought to the notice of this House?

Mr. PRESIDENT: You cannot touch his private character, but you can cast aspersions on his public conduct and no further. This is my ruling, and you should not argue about this.

Mr. JOGESH CHANDRA GUPTA: On a point of order, Sir, I want a ruling from the Chair whether the ability of a Minister can be discussed in this House, and whether that will come under the category of discussion of personal character.

Mr. PRESIDENT: My ruling is that the capacity or otherwise of a Minister can be discussed here only in respect of functions which he discharges as Minister but no further.

Mr. SYED MD. ATIQULLAH: Sir, may I point out to you that I was not discussing the Hon'ble Minister's personal character? What I was discussing was about his intellectual capacity.

As I was saying, if I acquiesced in bolstering up a Minister who to my knowledge was wanting in a sense of public morality and is

also so deficiently equipped intellectually, I should be grossly violating the spirit, and the letter as well, of that part of the constitution which its authors intended should be responsible to the public. No honest cause, political, or constitutional, can possibly gain by the retention of such a Ministry in office. I must add one word more. The Hon'ble Nawab Musharruf Hossain is dragging the good name of my community, which is a far more valuable asset than a few Government appointments, through the mire.

Sir, the issue raised to-day is not a political or constitutional one, but pre-eminently a moral or ethical one. The issue to-day is whether purity in public and political life is to be maintained. Sir, our cause is purely a public one and we want that public purity and honesty should stand vindicated to-day. The atmosphere of public life in the Bengal Legislative Council is very much polluted, and we want that it should again be purified. Sir, I want to make an appeal to my European friends in this Council. When a charge of corruption has been made against the Ministers, are they going to cast their votes in their favour? I should request them to pause and ponder and then cast their votes. If, after hearing what we have said they are convinced, they should cast their votes with us. If not convinced—even if there has arisen a cloud of doubt in their minds—they should not hesitate to cast their votes in favour of the motions, or at least to be neutral in this matter. The fight is not as regards the constitution to which they are wedded, but a moral one, and in the interests of purity and honesty in public life, I appeal to them to support us to-day.

Sir, I am not convinced of success to-day. Personally, I do not mind whether I succeed or fail. I will not fret if I fail. Ours, Sir, is a noble public cause, and our satisfaction lies in that.

(Cries of "Shame," and "Minister to explain.")

[At 4-25 p.m. the Council was adjourned and it reassembled at 4-35 p.m.]

(Cries of "Minister," "Minister, to reply.")

Khan Sahib ABDUS SATTAR: Sir, I had no intention of taking part in the deliberations to-day, but for the unfortunate fact that a statement has been made by my friend, Maulvi Nurul Huq Chaudhuri, regarding the Nankin Restaurant case—a statement which is absolutely false. I am sorry to find that my friend has been thoroughly misinformed. May I inquire who was his informant? He seemed to think that I had some interest in this matter. It is absolutely false that I appeared on behalf of the owner of the restaurant before the Hon'ble Minister or that I had taken him to the Minister's house. What happened was this: I was on leave for about 2 months last

year from the 20th April to the middle of June, and I went to Darjeeling. While there, I happened to meet the Hon'ble Minister, just as I met many Government officials. I also met there a friend of mine who had come up, and he mentioned to me this matter of the Nankin Restaurant and asked me whether I could see and speak to Mr. Reid about it before whom it was pending, which I agreed to do. I went with him to Mr. Reid and explained the facts of the case to him. He saw our point of view and was convinced of the justice of our case. Later on, we mentioned the facts of the case to the Hon'ble Minister as well as what Mr. Reid had told us. Before this, the Hon'ble Minister had absolutely no knowledge of anything connected with the case, and it was from us that he first heard anything about it. Sir, it is very unfortunate that Maulvi Nurul Huq Chaudhuri, who is a friend of mine, should have made the sort of statement that he has done, and which I repeat is absolutely false.

Babu BEJOY KRISHNA BOSE: Sir, while speaking on these motions I shall remember the injunctions that have been laid upon us by you, namely, first, that we should not say anything which is not founded on personal knowledge and experience and, secondly, that we should not say anything which touches the private character of the Hon'ble Ministers.

Sir, I think it is only fair to the Hon'ble Nawab Musharruf Hosain that I should say a few words before he stands up to reply to the charges that have been brought against him. Before I do so, I must confess, Sir, that having regard to the nature of the charges made, it is a day of shame and humiliation for all of us. Mr. Travers has repeated to-day what he has been saying since the year 1926. I have got his speeches with me here, and I find that what he said to-day is practically the same thing as what he said in 1926, 1927 and 1928. Sir, in spite of that observation of Mr. Travers, namely, that he was supporting the Ministry only because we were trying to wreck the constitution, I find, the European group are so much bent upon supporting any ministry, however corrupt, that they cheered the remark made by you when you stopped Mr. Atiqullah, saying that it was possible that the gentleman who offered the money to him here in the lobby was not authorised by the Hon'ble Minister to do so. I would, therefore, repeat here nothing except what the Hon'ble Minister told me himself, and I ask the Hon'ble Minister to stand up now and here and challenge me if what I shall presently say is not correct. I shall tell you, Sir, the circumstances with full details. It was about a fortnight before the Congress met last December in Calcutta that I accidentally met him at a ceremony held at Beltola in Bhowanipore in connection with the opening celebration of a girls' school. When we came down from the Hall upstairs, the Hon'ble

Minister asked me where I was going. I said that I was going to the Congress grounds to have a look round. He said that he would like to accompany me and asked me to send my car away and come with him in his car. I did so, and we visited the Congress grounds in Park Circus. Mr. Sen Gupta and others here, I hope, will remember that the Hon'ble Minister stopped in the Chairman's camp for nearly an hour. After that he asked me where I was going. I replied that I was going home. He then asked me not to go home direct, but to come with him for a drive by the riverside. I live very close to his house in Hazra Road and, as I had sent my car away, I thought that I should go with him: in short, I had to go with him because I had no car. After the drive, he took me to my house. Like Sindbad the Sailor, he would not get down from my shoulders. When we reached my home, he expressed a desire to spend a few minutes more with me. Well, Sir, I asked him to come in, as it was very kind and good of him. Now, I shall say something which he did not ask me to keep secret nor did he tell me under the seal of secrecy. I may remark by the way that I was shocked by his observations to me, that the next day I repeated his conversation to my leader and also, I believe, to one or two Muslim leaders. I thought in the public interest the Minister's remarks should not be kept secret. He said to me: "Bejoy Babu, you have left the Select Committee of the Primary Education Bill in a huff because you objected to the ruling of the President. Well, if that be the attitude of the Swaraj Party—if they want to frustrate me in my attempt to get this Bill passed—rest assured that they will be unsuccessful." I replied that we were not against primary education—on the contrary, there was a universal demand for it—but that we were against the form in which it was proposed to legislate on the matter. I further said it was neither free, nor compulsory nor universal. He said: "Whatever it is, I will do something this time, and in spite of the 38 or 40 members of the Swaraj Party in the Council, I will carry the Primary Education Bill through." I inquired: "How? With the help of the European members?" He said: "No." And I remember his following words distinctly—in fact, they are still ringing in my ears. I say to my Muhammadan friends: "Beware, beware, of men like the Hon'ble Minister who can utter such gross calumnies against them as he did." I do not believe a word of what he said, but I was amazed at the nature of the bragging he is capable of. He continued: "I have got 23 Muhammadan members of the Council in my pay"—mark the words "in my pay." (Loud cries of "Shame," "Shame.") I said in amazement: "What! hon'ble members of the Council in your pay?" He said: "Yes. What is Rs. 5,000 or Rs. 6,000 to me. My private income is Rs. 6,000 or 7,000 per month, besides that I have got my pay as a Minister. What do I care for a few thousands! People take from Rs. 50 to Rs. 500 from me every month," etc., etc.

Sir, he is very communicative as all people know. (Loud laughter.) Even, State secrets sometimes come out from his mouth.

4-45 p.m.

He told people many State secrets when he was in a communicative mood. Then, Sir, there was another statement of his, which I consider a great insult not only to my Muhammadan friends, but also to one whom both my Muhammadan friends and my Hindu friends hold in veneration. He said "Do you know what I said to my Governor?" "I told my Governor I have set my heart upon this Bill, I will do what my Prophet failed to do." I was shocked; I have the greatest veneration for his Prophet; I look upon his Prophet as I look upon my Sri Krishna or Sri Chaitana. "I told the Governor—The Prophet gave people universal religion, he gave universal brotherhood, but I will give the people universal education, and that is what I am going to do." (Loud laughter.) These are the words I heard from him and I am an hon'ble member of this House, no one can challenge my veracity for I can swear to these observations of his. He said he would do something what his Prophet failed to do. Little man, he thought he was like the Prophet! Sir, I am reminded of what I said of him on the 21st March, 1928, in connection with a similar motion: "It is said lunar influences on human beings sometimes create wonders, for has not the poet sung about a politician in England—

'In the course of a single moon,

He turned a chemist, statesman, fiddler and buffoon.'"

Mr. JOGESH CHANDRA GUPTA: On a point of information, Sir. My friend has stated that he is prepared to swear on oath to the statement he has made. If I remember aright, the Hon'ble Minister used the word "Paigambar" and not "Prophet." He said I will do what the "Paigambar, what Nitai, failed to do."

Babu BEJOY KRISHNA BOSE: No, Sir, he used the word Prophet. He might have mentioned the words "Paigambar" or "Nitai" before other friends, as I heard from them, but to me he said "Prophet."

Mr. W. H. THOMPSON: Mr. President, Sir, I had not expected an attack on the Ministers from the benches just opposite. Mr. President, I believe you play bridge, and I am sure Mr. J. M. Sen Gupta and members on the benches opposite do play bridge. It is one of the importations from the west which they do not boycott. Mr. President, suppose you were in the card room of the Calcutta Club playing a rubber of bridge. Suppose Mr. Sen Gupta came in and sat down to watch the game. You would certainly raise no objection. The rubber finishes. You then ask Mr. Sen Gupta—"Will you cut

in '?" He says "No, thank you"—not very politely, but you can raise no objection. But, Sir, after having refused to cut in if he begins to criticise the play of the hands, and to call attention to a revoke on the part of your partner the Hon'ble Minister, would you not raise objection? You would certainly raise strong objection. Sir, when this ministry was formed Mr. J. M. Sen Gupta and his party refused to cut in and under the Portland Club Rules Mr. Sen Gupta and his party are debarred from either speaking or voting on this motion. That was not what I rose to say. (Laughter.) I wanted to add something to what Mr. Travers has said on the very important subject of a stable Government. It is a very important subject, and because it is so important, it has guided our policy and will guide our policy through this vote and similar votes in future. Sir, I take it it will be generally admitted that the British Parliament is a model for parliamentary constitutions. It has been the model for many parliamentary constitutions in other countries. But, not one of those constitutions has worked as well as the original; not one imitation has come up to the standard of the British Parliament and each one has failed in one respect—the same respect—at one time or another. What has happened is that these constitutions have not provided a stable Government. I will not multiply examples but twice France has had an Emperor and in Spain, in Italy, in Czecho-Slovakia and in Roumania there are Dictators at this moment and the constitutions have been set aside. Now, Sir, in a modern State a Dictatorship cannot be established unless the people want it, unless the people have got so sick of unstable Government that they are prepared to let the constitution go by the board in order to get stability. An explanation why the British constitution has worked and those other constitutions have not worked lies in the fact that the British constitution has had a gradual growth, while those other constitutions were adopted ready made. In the process of growth of the British constitution, if a false step was taken in one direction, it was corrected by a step in the opposite direction. Or as more commonly happened, it was corrected by a custom growing up in the other direction, and I think, Sir, that it is because this growth in my country has produced a successful Government, that the British Parliament at Home advised a steady growth of political institutions in this country. Sir, that is an explanation of the failure of this constitution in other countries. The reason why the British parliamentary system gives stability is not quite so obvious. If I were a parson I would preach about it; if I were a philosopher I would read you a thesis on the subject based on pure ethics, but, Sir, I was brought up on mathematics. Even mathematics, however, is a very useful guide in the problems of life and by mathematics a solution of the present problem is possible. The problem is to find stability, to find equilibrium. Now, Sir, it is an elementary proposition of statics that a body will remain in equilibrium only when for each

force acting on it in one direction there is an equal force acting on it in opposite direction. The force acting on the Cabinet is pressure from the House. The Cabinet is responsible to the House. What happens in England after a general election is this. The Cabinet is taken from the majority, the Cabinet is adopted by the majority of the House. Now, Sir, you will not find this in any book, you certainly will not find it in any enactment, but, we, who have been brought up in England, know how things happen there. We know perfectly well that once a ministry is there, once a Cabinet is in office, there is far more control of the House by the Cabinet than there is control of the Cabinet by the House. At Home once a Cabinet is there there is no necessity for hunting votes as Ministers have to do here. If any member of his party went against a Minister it would be the end of that member's political career. By that only we can obtain a stable ministry here. Let the party having a majority put forward a ministry; when it is there it must control them more than they control it, otherwise the constitution will not work. Sir, how seriously we Europeans view the importance of a stable Government may be judged from what the European Association said before the Simon Commission on this point. Now, Sir, there is one exception to the failure of the European constitutions in the different countries—

Mr. J. M. SEN GUPTA: Sir, on a point of order. We have had a long lecture on European constitutions and what British constitution has achieved, but up till now we have not heard a single word about the charges brought against the Ministers.

Mr. PRESIDENT: Mr. Sen Gupta, you cannot judge until Mr. Thompson has finished.

Mr. W. H. THOMPSON: I would ask you, Sir, to abide by the rules of bridge and not to let Mr. Sen Gupta butt in.

Now, Sir, one country has got a stable Government without any trouble and that is Switzerland. It is an exception and an exception which proves the rule. In Switzerland the Ministry is not responsible to the House of Representatives, and in suggesting further steps of reforms to the Simon Commission, the European Association has advised that the Ministers should be appointed for the life of the House. (Cries of "Ministers," "Ministers.")

The Hon'ble Mr. A. N. MOBERLY: On a point of order, Sir—(A VOICE: There is no charge against Mr. Moberly.) The gentleman, who moved the vote of no confidence, foreshadowed that a series of charges—about 8 or 10—were to be formulated against the Ministers. So far we have only two. Are we to understand that the other charges will not be formulated or that they will be withdrawn? If

not, I would suggest that the Ministers should not be required to speak until all the charges have been formulated.

Mr. PRESIDENT: Could you give me the exact words you are referring to?

The Hon'ble Mr. A. N. MOBERLY: The member referred to the cases of Eugene & Company, the Nankin Restaurant, Sorabji and Mazda and Pannalal Shaw and *Vote Ranga*. He was about to refer to other things when you stopped him.

Mr. PRESIDENT: I cannot and do not intend to ask the Ministers to reply at any particular stage. It depends on them absolutely as to when they should reply.

The Hon'ble Mr. A. N. MOBERLY: If the Ministers reply now, will you, Sir, allow further charges to be made by subsequent speakers? These charges are at present mere insinuations.

Mr. J. M. SEN GUPTA: I have never heard of a procedure in a Legislative Council or in a legislative body that a particular member has to be shut out in the course of a debate from bringing forward anything that he likes to. In this particular case even after the Hon'ble Ministers have chosen in their speeches to defend themselves, according to the rules the mover is entitled to speak and to refute some of the facts spoken of by the Hon'ble Ministers. Therefore I am at a loss to understand why he cannot briug any further charges of corruption, etc., even after the Hon'ble Ministers have replied.

Mr. PRESIDENT: Order, Order. I think the Hon'ble Mr. Moberly was right in the sense that when a motion of no confidence is brought, it has got to be fought out on certain specific issues. It is not improbable that other allegations will be made by other members. I think, if I understood the Hon'ble Member aright, his point was that if any other allegation is brought against the Ministers after they had spoken, they should be given an opportunity to meet such a charge or charges. I will not have any objection if the Ministers rise to offer personal explanations to meet such a situation.

Maulvi ABUL KASEM: Somebody has said sometime back that a motion of no confidence against the Hon'ble Ministers is a haughty one. I now find that these motions are brought forward on personal grounds and we are now getting quarterly and six-monthly editions of them. Some serious charges have been brought against one of the Hon'ble Ministers. I am neither in a position to, nor can I defend or support those charges, because I have no personal knowledge

(Question, Question) or experience of them but what I regret is this: Mr. Thompson has said that Mr. Sen Gupta and others of his party have refused to cut in and are therefore barred from criticising actual facts. My wonder is that so far as the Swaraj Party is concerned it is immaterial to them whether A is in charge of Government or B. when they have nothing to do with Government. As it is, I think it is not only immaterial to them but absolutely no concern to them whether the administration under the diarchy system is good, bad, indifferent or corrupt. I cannot understand why they should be so enthusiastic and energetic in turning out one set of Ministers and putting in another. I can understand——

Mr. J. M. SEN GUPTA: The hon'ble member is finding difficulty in keeping his usual voice and we cannot hear what he says.

Maulvi ABUL KASEM: I wish I had my usual voice. What I find to my regret is this: that certain allegations are made; if I understand aright, those serious charges ought to have been brought not indefinitely in this House, but those people who are cognisant of those charges, which I understand under the laws of the land to be criminal offences, should have brought them not only before the court of justice, but the attention of His Excellency the Governor ought to have been drawn to them. It is neither fair, nor just, nor reasonable to bring charges forward in this House and in a speech which is privileged and for which no responsibility rests with the speaker. Charges should be made in the proper place and in a proper manner. Whether they are proved to be false or not the Legislative Chamber is not the proper place for making those charges. I cannot say whether those charges are false (A VOICE: You cannot say that) or true because I have no knowledge. But what I say is this: those people who are cognisant of those facts owe it to themselves, to their country, to their Government and to their constituencies to refer the matter to His Excellency the Governor or to the proper court of justice for necessary action. But instead of doing that, to bring forward a motion of no confidence is unreasonable and unfair on the part of the Swaraj Party and it is of no advantage to the province.

Khan Bahadur Maulvi EKRAMUL HUQ: Mr. President, Sir, we heard of the impeachment of Warren Hastings and to-day we will have the good fortune of hearing the Hon'ble Ministers of the Government impeached. Charges, varied in nature, have been brought against them and against the Hon'ble Minister for Education in particular; but as has been pointed out by the Hon'ble Mr. Moberly the charges were not so clear as they were expected to be and were not as many as the House was assured, they would be. My hon'ble friend Maulvi Nurul Huq Chaudhuri has made several allegations and one

of these, as you have heard just now, was about our friend Khan Sahib Maulvi Abdus Sattar. He has given his reply. If my friend Mr. Chaudhuri were credibly informed of the exact nature of the transaction or if he had personal knowledge of the allegation he has made, he could have made bold to contradict Khan Sahib Abdus Sattar. It is quite true that my friend Mr. Nurul Huq Chaudhuri is taking a good deal of interest in politics. His interest, though he alleges it, is not as old as his life in this Council, it is much older. Although he has not been in this Council for a much longer time, he knows fully well that even at a time when he has nothing to do with Council and Council business, at a time when he was nothing but a vakil of the High Court——

Mr. PRESIDENT: Order, Order. What are you driving at?

Khan Bahadur Maulvi EKRAMUL HUQ: I wanted to make it clear that my friend has interested himself in politics and in seating and unseating ministers for the last 5 years.

Mr. PRESIDENT: I am afraid you are not in order. You should not make any personal reference to the member who moved this motion of no confidence.

Khan Bahadur Maulvi EKRAMUL HUQ: I was not making any personal allegation against my friend. I beg to point out to this House that allegations of bribery and corruption have been made against the Hon'ble Nawab Sahib. So far as these matters are concerned, which the member is either personally cognisant of or he knew them, the only right person to say anything for or against is the person who is charged with them. My friend Mr. Bejoy Krishna Bose has been pleased to enlighten the House of the fact that the Hon'ble Minister told him plainly that he would be able to carry the Primary Education Bill in the teeth of opposition of the other benches. By what method and by what means was he going to bring that about? The means has been pointed out to be, the means he possesses—his purse —his long purse. How is it that the Hon'ble Nawab Sahib would want to carry a Bill by bribing members for which every Muhammadan and every Hindu who has the interests of his country at heart will vote solidly? How was that purse necessary that the Hon'ble Nawab Sahib would think of offering it for this purpose? Well, it is a matter known to every one in this House that there cannot be any one in this House, who is true to his constituency, who is true to the pledges which he has made to the people in the country, who will ever think of opposing the passing of the Primary Education Bill. We have heard it said by the members of this House that if the

Hon'ble Nawab Sahib and the whole Government block were to vote for saddling the masses with the entire amount of expenses for Primary Education, knowing fully well that we would only be cutting our throat——

Mr. PRESIDENT: We are not discussing that. You need not pursue the point.

Khan Bahadur Maulvi EKRAMUL HUQ: I am only referring to the point that has been raised about the Hon'ble Nawab Sahib's bribing the Muhammadan community or rather the Muhammadan members of this House with regard to a measure which benefits our countrymen which seems absurd. It is a matter known to the public that there are many persons in this House who never like that a Bill of that nature should pass the House——

Mr. PRESIDENT: You are not following my instructions. We have nothing to do with that Bill at present.

Khan Bahadur Maulvi EKRAMUL HUQ: May I point out that from that particular fact——

Mr. PRESIDENT: Will you obey my ruling, Maulvi Sahib?

Khan Bahadur Maulvi EKRAMUL HUQ: I bow to your decision. My submission is that what matter is within the personal knowledge of the Hon'ble Nawab Sahib he is the best person to explain that. If he had said anything, it is for him to explain.

5-15 p.m.

Sir, another matter has been brought before the House and that is about corrupting the M.L.C's. by offering posts of Sub-Registrars for their relations. So far as that is concerned, I am afraid my hon'ble friend the mover of the motion was not at all correct when he said that in some appointments which were in the hands of the Hon'ble Nawab Sahib he nominated persons who were not matriculates. So far as my personal knowledge about the case goes, the Nawab Sahib did not push forward any of the candidates and none of the candidates, as is alleged by Mr. Nurul Huq Chaudhuri were less than matriculates—and some of them read up to the I.A. standard. The mover was therefore wrong to refer to this particular matter. Further, Sir, in matters of appointment like this high university degrees of the candidates is not the only thing that has to be considered. Instances are not rare when not the Government of the Ministers but the Government of the Executive Councillors have given appointments to those whom they thought fit in the performance of their public duties but who did not

possess high educational qualifications. There are persons who by their public services in the country have created a claim for the consideration of those who are at the helm of affairs and it is undoubtedly the duty of Government to look to such claims. If the Nawab Sahib was not able to provide his brother's son though he was qualified, that shows the good sense he possesses.

Maulvi ABUL KASEM: It is now 5-18 p.m., Sir, and there is not much time left. The debate may be continued next day and the Council may be adjourned now.

Mr. PRESIDENT: You may draw my attention to that when we reach 5-30 p.m. (Laughter.)

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, a written speech has been read over to us by Mr. Nurul Huq Chaudhuri and I see that in that speech he has referred to some actions of mine as a Minister. He has referred first of all to certain cases relating to the Excise Department. The first case he has referred to is the case of one Pannalal Shaha of Bow Bazar Street. Sir, this Pannalal died in Calcutta while this poor Minister was in Darjeeling. A day or two after that that very shop was settled by some body in Calcutta who might have had some connection in the Excise Department. It was considered to be a very hasty action of the Collector of Excise and as soon as the matter came up to the notice of the Excise Commissioner he set aside the order of the Collector and gave three months' time to the heirs of Pannalal to wind up that business. All this was done by the Department when the Minister was in Darjeeling. Then the matter came before me on an appeal and the usual procedure in an appeal case is this: As soon as an appeal is filed, it goes to the Department for inquiry and report. Generally the Excise Commissioner submits the report, the Secretary writes his note on it and then it comes to the Minister for decision. In this very particular case both the Commissioner and the Secretary noted that the shop cannot be settled permanently with the heirs of late Pannalal. The principle involved is whether excise shops are heritable. Pannalal Shaha got the licence of this shop through public auction, being the highest bidder and the licence was continued under the new system. He was not chosen by Government for any special reason except that he was the highest bidder and he was allowed to retain it as long as he was alive. Government and the Excise Department all along have held that no licence should be given to the heir of a licence-holder after his death and it should not be permanently settled with any body. The Permanent Settlement in Bengal has created so much heat in the country——

Mr. PRESIDENT: You have nothing to do with the Permanent Settlement, Nawab Sahib. Please leave that alone.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I bow to your ruling, Sir. I think no body in this House can think of permanently settled shops being granted to be enjoyed from generation and to generation and no Government can adopt a principle like that. My friends have been insinuating that the Minister has done wrong in this case; I say that they are wrong when they say so. It is wrong to say that shops should not be disposed of in accordance with the principle I have just explained.

Next comes the case of Nankin Restaurant. I know the case and I can tell the House whenever I dispose of a case I can remember it, although 8 or 10 cases may be disposed of in the course of a day. This case was before the Government. It went as far as I know to the Reserved side of Government and they also agreed that this licence should be granted and then it came to the Secretary of the Department. The Secretary also said that the licence should be granted and then on the recommendation of the Secretary I simply signed my name. There is a procedure to be followed. (A VOICE: I see how things are done). My hon'ble friend over there says that he sees how things are done. Well, he will see when he comes to office and not before that. That is the procedure. Of course I must say that if the Minister disagrees with the Secretary or the Department he must go to the Governor for reversing their decision. So there is some difficulty there. I am pointing out to you the difficulties of a Minister in disposing of matters. He is practically bound hand and foot in the disposal of matters. If he listens to his Secretary it is all right, but if he does not listen to his Secretary he will have to go to his Chief for its approval. But in many cases we go to our Chief and we get his approval, and seldom and in not many cases his reversal has been denied to us. That much I can say to the credit of His Excellency. So the poor Minister simply initials——

Mr. A. C. BANERJEE: On a point of information, Sir. May I ask the Hon'ble Minister——

Mr. PRESIDENT: I do not allow you to ask any question at this stage.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I crave your indulgence because I am here not as an accused in the dock but an accused who has to defend himself and there are no pleaders to speak for me. So there is the difficulty.

In the next case also my friend said that so and so pleader was there when the case was disposed of. It is all nonsense.

I can say that if you pass any judgment you must have facts and materials over which you can pass an opinion. Unless the facts and materials in a case are sufficient to warrant an interference that you draw you will be hooted by anybody and everybody and it will go on like that. So when a case is disposed of the facts and materials are properly considered and then some conclusions are arrived at and then the decision is given.

Next comes the case of Eugene & Co. So far as that is concerned I know that the shop was in existence for 70 years. The licensing board, without giving any reasons whatever, apparently without any reason, asked that man to go to the street and cancelled his licence. The matter came to the notice of Government. It came first of all to the Commissioner and then to the notice of the Secretary. Both of them said that a wrong has been done. Some of my friends of course appeared in that case. I see my friend sitting in that corner who is the man who appeared on that date—I mean the gentleman who is accusing me from that quarter there. I think he can say whether I was right or wrong in disposing of that case in that way.

Next comes the case of Dinshaw & Sorabjee *vs.* Mazda. I say for myself that he wanted a feeder at a very high price——

Mr. SYED MD. ATIQULLAH: On a point of order, Sir. It is now 5-30 and I submit the Council should now be adjourned in order to enable the Muhammadan members to break their fast.

(Cries of "Adjourn" from some Muhammadan members.)

Mr. PRESIDENT: I take it that the Moslem members are not willing to continue the sitting and I therefore adjourn the Council to 2-30 p.m. to-morrow.

Adjournment.

The Council was then adjourned till 2-30 p.m., on Thursday, the 21st February, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 21st February, 1929, at 2-30 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 122 nominated and elected members.

Discussion on motions of no confidence in Ministers was then resumed.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I was in the midst of my speech when the House was adjourned yesterday. I was then speaking about the case of Dinshaw & Sorabji *versus* Mazda & Company. So far as the disposal of that case is concerned, I need not give any explanation. The case was disposed of in the usual way after hearing counsel on both sides. Mr. Langford James appeared for Dinshaw & Sorabji while another counsel appeared for Mazda & Company. The case was disposed of on the principle that shops should be centralized in one place, that is in Lindsay Street. The Licensing Board, which is now defunct, accepted the policy that instead of having shops scattered all over Calcutta, it would be better if they could be centralised in one place so that consumption might be reduced. That principle was accepted by the Department, by the Hon'ble Mr. Moberly, and by myself.

Mr. JOGESH CHANDRA GUPTA: On a point of information, Sir. Was there a decision of the Licensing Board——

Mr. PRESIDENT: Order, order. Let the Hon'ble Minister proceed.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: After consulting all the authorities on the point, I accepted that principle and decided the case in favour of Dinshaw & Sorabji. There is one fact in connection with this case which is very interesting, namely, that there were several objectors in the case, and all the objectors, except one, withdrew their objections. But this is besides

the point. The point that has been raised by Mr. Nurul Huq Chaudhuri was in connection with a counsel. He says that under my instructions Mazda & Company wanted to engage a particular counsel. I can tell the House that I never knew who Mazda was, nor had I seen his face ever in my life except on the only occasion when he appeared before me in open court in the presence of other people. So far as the parties in a case are concerned, Sir, it has been my policy never to allow any party to appear before me except through their pleader or counsel. So, the allegation that I asked some party, namely, Mazda & Company, to appoint some particular counsel in order that the latter might be paid extravagant fees, does not hold water. All I can say in this connection is that Mr. J. C. Gupta once called me up on the 'phone and asked for some time being granted to Mazda & Company. I told him that the only way that this could be granted was by appearing before me in court and putting in a petition asking for time on behalf of his clients, and that if I saw sufficient reason, I would grant the time prayed for. If that was not possible, the alternative was for both parties to consent to a postponement. Instead of doing that, he just sent an ordinary letter addressed to the Minister in charge of the Excise Department, asking for time. I refused the request, as I did not think the letter was in order. Anyone wanting time should come through the proper channel. Then, Sir, in that case both the parties appeared through their counsel, and the case was decided on its merits and in strict accordance with the principles and policy of the Excise Department. I again absolutely repudiate the statement that has been made in this Council that I asked any particular party to appoint any particular counsel.

Then as regards Eugene & Company's case, as far as I remember, the case came up before me on appeal, and Mr. Saheed Suhrawardy appeared before me on behalf of Eugene & Company. I cannot even now understand how I favoured either Eugene & Company or the counsel appearing for them, when the latter belongs to the opposition camp, and, I believe, will vote against me.

Mr. Nurul Huq Chaudhuri has characterised certain appointments in the Registration Department as acts of jobbery. Anybody who knows anything about self-government must know that every Government has two parts, viz., the Executive and the Legislature. In countries other than England, the Executive Government is carried on partly by permanent officials and partly by temporary officials. In the United States, in the beginning, all Government officers, even up to the peon, used to be replaced with a change in Government, and recruited from the party forming and carrying on the Executive Government. There has been some change in this attitude quite recently, but even now more than 70 per cent. of the officers come

and go with the Ministry. In Australia, also, the officials used to change with a change in the Ministry, and all officials are appointed from the party governing the country.

Self-government, if you want to have it, will be party government. You cannot dream of permanent officials, appointed from outside and carrying on the administration, if you want to have real self-government. If the people form a government and make their own constitution, they will, undoubtedly, in the beginning, allow the party ruling the country to consolidate their position, and try to have all officers changed with a change in the Ministry. This may be unthinkable to us, because we have never known what real self-government is. You say that the three insignificant appointments of Sub-Registrars, given to relatives, etc., of the members of the party which is ruling the Transferred side, is an act of jobbery. If that is so, what do you think of the people of the United States and Australia and other countries? To mention the small with the great, what have the Swaraj party themselves been doing in the Calcutta Corporation quite recently? What qualifications does Babu Sailapati Chatterji, the Deputy Chief Executive Officer, possess, besides that he is a member of a certain party, to entitle him to get an appointment in the city of Calcutta? What special qualifications does Khan Sahib Haji Abdur Rashid, the Second Deputy Chief Executive Officer, possess, which entitles him to hold his post?

I do not like to mention other minor persons who were appointed by the Swaraj party while they were ruling the Municipality of Calcutta.

Sir, you have known the rules regulating the appointment of Sub-Registrars, since the very creation of these posts. Up to now, Government have kept the power of appointing a few officers as special cases. All my predecessors, either as Ministers or as Members of Government, have exercised their right of nominating persons under that rule. What have I done, specially, to merit the criticism that has been levelled against me in this House?

Mr. Nurul Huq Chaudhuri had to admit that in disposing of this patronage, the Minister did not give an appointment to his own nephew who was a candidate. Is this not a sufficient explanation for the appointments that have been made by me in the Registration Department?

In conclusion, I want to say that if you want to have self-government and if you want to have a responsible Ministry, self-government must be real in the sense that the party which rules must have its representative in office to carry out its policy. That is real self-government. You cannot think of an enemy and disturb him in the country, while you hold the power of government in the Central

Executive. If you do not want self-government, then and then only can you think of all appointments being made by some outside authority, and from among all classes of people without any regard for the political opinion that the candidate holds. Unfortunately, this picture of self-government cannot be realised by us because we do not know what real self-government is.

Now, Sir, I want to say just a few words in reply to the charge of alleged bribery and corruption against me.

Mr. Nurul Huq Chaudhuri has said that the Ministry is responsible for paying money to some members of this House for securing their votes. Mr. Nurul Huq Chaudhuri has come into politics just recently. What I fear is that he has been made a tool by some designing persons. I am further informed that the speech that he wrote for this occasion was torn up by someone who deputed the Chief Whip of the Swaraj party to write out another speech for him. ("Hear," "hear"). Mr. Nurul Huq Chaudhuri has not given any specific instance which can be replied to. He has levelled a general charge of corruption, but can any general charge be made out without the personal knowledge of the accuser? His speech is there, and I decline to answer his vague allegations.

Some further vague allegations about corruption have been made by different people. Sir, I would emphatically repudiate all such allegations, and I should like to place some facts which, I hope, would find corroboration even from the leader of both the groups of the opposition. Sir, I was the deputy leader of the Bengal Moslem Party of which Sir Abd-ur-Rahim was the leader. I was appointed by His Excellency as a Minister on the recommendation of the very party which was loyal to me ("hear," "hear") till 5 or 6 days before the no confidence motion was moved. The most lamentable incident that broke up the party is known to you all. It is useless for me to narrate the circumstances. Mr. Subhas Chandra Bose, Mr. Naliniranjan Sarker (A VOICE: "Present, Sir") and others were present when that lamentable incident occurred. I do not want to exhaust the patience of the House by narrating all the events of the case, but would put a few questions to those gentlemen who were present when the incident took place. Is it not a fact that Sir Abd-ur-Rahim in a fit of temper turned out from under the roof of his house some of the most respectable Muhammadan Councillors and insulted them? (Laughter). I do not like to give the names of the people who were turned out. Are they not among the most influential public men of Bengal?

Mr. J. M. SEN GUPTA: On a point of order, Sir. Are we discussing a motion of no confidence in Sir Abd-ur-Rahim?

Mr. PRESIDENT: Mr. Sen Gupta, I am not sure if the Hon'ble Minister's remarks are quite relevant, but I must wait and see what conclusions he is able to draw from what he has said.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I shall draw my conclusions presently. It is inconceivable that a Minister having a party of just 15 members from a large Muslim party, almost all of whom were insulted by Sir Abd-ur-Rahim, would make a common cause with others for the stability of the Ministry and for upholding the dignity and position of the gentlemen who were insulted by Sir Abd-ur-Rahim! Is this not a sufficient incentive for gentlemen of this House to combine? Vague allegations may come from Sir Abd-ur-Rahim and his party, but the very same allegations of corruption were made against Sir Abdelkerim Ghuznavi in March, 1927, when his Ministry was attacked. Is it not the same kind of attack as we have when any motion of no confidence is launched in this House? Did not Sir Abd-ur-Rahim, in that memorable speech of his, say in this Council, when attacking Mr. Ghuznavi: "You, Mr. Ghuznavi, may have a few hired votes, but that will not do"? Sir, this sort of insinuation is not uncommon when a party is not sure that they would win on their motion. The weak man has got the temptation of calling names. Sir Abd-ur-Rahim and his party want to throw mud at me. This is quite natural, I know that here they are privileged people——

Sir ABD-UR-RAHIM: Sir, I cannot follow the Hon'ble Minister's speech. He said something about me, but I cannot follow him.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I know, Sir, that if they spoke any such thing outside this House, I could have got relief in the law courts, but as privileged persons in this House I cannot proceed against them.

Mr. PRESIDENT: Nawab Sahib, your time is up.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I submit that since the impeachment of Warren Hastings lasted for about 6 months, you should have some patience if I take a little more time, and if my impeachment lasts for a little while longer now. (Laughter). In short, I should like to have a few minutes more to finish my speech.

Mr. PRESIDENT: Nawab Sahib, I am afraid you are doing me a great injustice. I have enough patience in store to hear you and you have my permission to finish your speech.

Mr. JOGESH CHANDRA GUPTA: Sir, may I rise to a point of order? Warren Hastings is sitting (pointing to the portrait of Warren Hastings in the Council Chamber) there and listening to the impeachment of to-day.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Coming now to Mr. Atiqullah, he was a member of Sir Abdelkerim Ghuznavi's party when Sir Abd-ur-Rahim described him as one of the few hired voters. I do not like to insinuate that he was actually so, but can I ask Sir Abd-ur-Rahim, his present leader, as to why he made such a remark against the supporters of Sir Abdelkerim Ghuznavi? Mr. Atiqullah says that I handed over to him some currency notes when he helped to overthrow the Ghuznavi Ministry. Is not that an abominable lie? Can any gentleman occupying the position of a member of this Council tell a worse falsehood than this? Was Nawab Musharruf Hosain a Minister when the Ghuznavi Ministry was attacked? May I inquire of Mr. Atiqullah what led him to nominate Nawab Musharruf Hosain for the Ministership when the matter was discussed in the party? May I inquire why such a person got a nomination from such respectable people as are now accusing him of vile crimes? Sir, an explanation from the members concerned is necessary before I can account for their selecting me as their representative on the Ministry.

Mr. Atiqullah went against me in the no confidence motion in March last, and this February he has stated that I am a corrupt person. May I ask him what it is that stood in the way of his not challenging my character last time when he voted against me? He wants to say that I attempted to give him a bribe before I accepted the Ministry. May I ask him why this charge of corruption was not brought against me at the time the last no confidence motion was moved against me? I appeal to my friends here to consider all these facts before they pass a judgment on me. If the allegations of Mr. Atiqullah are true, what was the reason for concealing them when a no confidence motion was moved against me, though he himself went against me at the time.

May I have the privilege of informing the House the reason for his defection? He was a candidate for Assessorship of the Calcutta Improvement Trust. ("Hear," "hear"). He pressed me hard to recommend him to my late colleague the Hon'ble Sir P. C. Mitter. This office was at that time occupied by Mr. D. C. Ghose. Is it not a fact that he came to see me several times for this favour? Is it not a fact that when I told him in plain language that I could not support him, as I did not consider him to be the right person, and as, apart from all other qualifications, he was not a Calcutta man, Mr. Atiqullah was infuriated and told me to my face: "When I

wanted this favour from Mr. Ghuznavi he refused it to me, and now that I want it from you, you also refuse it to me. I will try to overthrow your Ministry as I helped in overthrowing the Ghuznavi Ministry"? I would ask the House to consider whether it would have been right for me to recommend him for the appointment? (A VOICE: "He did not want it.") I now leave the House to judge between him and me. Will the House support what is nothing more or less than blackmailing?

Let us now turn to Mr. Nurul Huq Chaudhuri. Is it not a fact that he begged me to go to the Hon'ble Mr. Moberly in order to recommend him for the Assistant Government Pleadership of the High Court? Is it not a fact that he wanted to be a member of the Licensing Board? Is it not a fact that he wanted the transfer of some poor Sub-Registrars for political reasons? Is it not true that the fact that the poor Minister could not comply with his unreasonable requests alienated him from the former? I now leave the House to dispose of this gentleman and express its opinion on his infamous conduct.

Babu Bejoy Krishna Bose has given to this House his story (Babu BEJOY KRISHNA BOSE: "What! a story?") And he has solemnly informed this House that I told him that I had 23 members of the Council in my pay. Can there be a worse lie than this——

Babu BEJOY KRISHNA BOSE: It is absolutely true.

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. Can any member use in this Chamber the language which the Hon'ble Minister has used?

Mr. PRESIDENT: Nawab Sahib, I am afraid I must point out to you that the expression to which exception has been taken is not a Parliamentary one. It is desirable that you should withdraw it.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I obey your ruling, Sir, and I withdraw it.

I know he is a member of a party whose principle is "nothing is too mean to gain the end," and having subscribed to this creed he is capable of saying anything he likes. He has accused me of saying that bribery would be necessary for piloting the Bengal Primary Education Bill through the Council. Is it not an insult to the Muhammadan community, and specially to the Muhammadan Councillors, to say that they require some incentive for passing this measure into law? I ask, is it not an insult to their commonsense? Is not the Bill itself sufficiently tempting to the members of this House, and to the country at large? Are not the provisions of the

Bill sufficient to recommend themselves to the members of this Council? I ask again, is it not an insult to the members as a whole, and not the Muhammadan members alone? Babu Bejoy Krishna Bose thinks that by questionable means he can help his party, but it is known to all that he is not in the inner circle of his party and is hated by all members of it. Sir, I have attempted briefly to reply to the various allegations that have been levelled against me. The facts which I have placed before this House will enable it to understand that a Minister, however good and cautious a man he might be, cannot escape attacks like this.

Even if the present Ministry goes, not through my fault, what will be the result. Some other Ministry will be formed and I think the very same thing will be said against it. Only two or three speeches were made yesterday and the material points raised in them have been replied to. I am before the judges because after all it is an indictment—it is an impeachment—and I hope, Sir, you will kindly give me the privilege of replying to any other charges that may be made against me in this Council by other members.

Mr. PRESIDENT: You have no right of reply but as I have already said, you could always rise on a point of personal explanation or even speak twice with my permission.

Maulvi NURUL HUQ CHAUDHURI: On a point of information. The Hon'ble Minister has made certain statements regarding me. May I ask him through you to tell me when I had approached him.

Mr. PRESIDENT: Not at this stage.

Mr. JOGESH CHANDRA GUPTA: The Hon'ble Minister has made a reference about me in connection with the Mazda case. I am very glad that he has given me the opportunity which I wanted to tell the House as to what actually occurred with regard to that case. Mazda and Dinshaw Sorabji were parties in regard to an application for a transfer of licence, or renewal of licence or granting of licence or whatever that may be, to Dinshaw Sorabji who were trying to remove to Lindsay Street. I understand that there was a decision of the Licensing Board—some members of which are present here and I hope they will correct me if I am wrong—that there ought to be only a certain number of shops in Lindsay Street and not more. In accordance with that decision——

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: On a point of personal explanation.

Mr. PRESIDENT: Not at this stage, please.

Mr. JOGESH CHANDRA GUPTA: In accordance with the decision of the Licensing Board, the Excise Commissioner rejected the application of Messrs. Dinshaw Sorabji and this matter went up on appeal to the Hon'ble Minister. I will not for a moment contend here that Dinshaw Sorabji's application was not correct on its merits or that Mazda's objections were not correct on their merits, but the facts are that there was the decision of the Licensing Board, and the facts remain that four or five such previous applications for that shop to which Messrs. Dinshaw Sorabji wanted to remove themselves were rejected beforehand. I have the authority of the members of the Council who were members of the Licensing Board when I say so and this information is only derived from them. What happened is this. I found Mr. Mazda come up to my house one day with a counsel who is a friend of mine and an advocate to engage me on behalf of Mr. Mazda to appear before the Hon'ble Nawab Musharruf Hosain. I at once told them "Well I did not know that a counsel as a matter of right is entitled to appear;" because I have this again on the authority of the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri that during the three years when he was in charge of Excise there was not a single appearance of lawyers before him, and he used to dispose of these questions on the notes given by his Secretary and the department. I told Mr. Mazda and the two friends who came up with him that I did not think that I would be of any service to them, especially as I belonged to the opposite camp: so if they wanted to influence the Minister they had come to the wrong place. They replied "We know that if you appear, and we have reasons to believe, that there will be good results." I told them that their reasons were not well founded. I disposed of them in that way and they went away. Then I went to the High Court and I had a phone message from Mr. Mazda and he came there and told me that another member—who I may tell yon is a ministerialist—of the Legislative Council, had since been to see him at his shop and told him that if he could secure my service something would be done in this case. I at once sent for my friend the advocate and the other counsel and told them "Now you can see that my suspicions were not unfounded, that there was some reason for Mazda's insisting on my appearing before the Minister and asking me to name my fee."

One thing I have forgotten to mention when they were importunate, I advised them to ensure the appearance of the advocate previously engaged by them—a friend of mine—who would be able to represent them better and who was abler than myself, and as that advocate was away from Calcutta I agreed to phone up to the Minister to allow time for the advocate to appear before him in the case. I phoned up the Minister. (Mr. Thompson is here present and he might perhaps explain by what arrangement the Nawab Sahib gets

a lease of 15 or 20 minutes of uninterrupted communication on the phone.) It is I think a breach of the rule of the Telephone Corporation—Be brief—though we all know that a number of rules are observed more in breach than in their observance.

Mr. W. H. THOMPSON: On a point of explanation. The telephone which is used by the Nawab Sahib is a Regent telephone run by Government and not by the Telephone Corporation.

Mr. JOGESH CHANDRA GUPTA: I am very much thankful to Mr. Thompson for this information and I understand now the reason why Nawab Sahib gets such a long uninterrupted communication. If I ever possess a Regent telephone I will exercise that privilege, at present before we have a talk for 2 or 3 minutes over the phone, we hear a nice voice saying "Have you finished."

I phoned to the Hon'ble Nawab Musharruf Hosain asking for time and he told me "Why don't you appear? You appear before High Court Judges—we are not pariahs—you can very well appear before me." I may tell the House that I had those 3 gentlemen sitting round the table with me at that time. I told him "Yes I am accustomed to appear before High Court Judges but I tremble to appear before a Minister with all his liveried chaprasis in the Writers' Buildings," and I begged to be excused for not appearing. Of course there was again an insistence about it. Sir, I told Mr. Mazda before I phoned that I was very busy and if I went to the phone I would not be released from the phone before 15 or 20 minutes as that was my previous experience with Nawab Sahib. Sir, let me revert to the conversation at the High Court Bar Library with Mr. Mazda and his lawyers. Mr. Mazda said "If you appear there will be some good result; we will pay you a higher fee." As already mentioned. I sent for my friends and told them that as a session of the Council was coming on soon and a no confidence motion is talked of I will not appear under any circumstances. I sent away Mr. Mazda and his Manager Mr. Alexander and thought I had the last word with them. But when I was enjoying a Bar Library dinner in honour of the Advocate General on the 1st February at Peliti's there was again a phone message and before I finished my dinner (I have a genuine grievance that I could not take the last two courses), a card was sent up by Mr. Mazda and my friend the counsel who went there with the advocate. I may tell the House that both these lawyer friends are Muhammadans. They said "We went to your house and heard that you were going away in connection with a case to Midnapore. You cannot go as you will have to appear in our case to-morrow. Please name any fee and we will pay it." I told them "I do not know who is sending you again and again to me. You ought to save this

money and save me the trouble of appearing in this case." Saying this I went to the Howrah Station and the client and my lawyer friends followed me there and did not leave me until the Bengal Nagpur Railway train actually steamed off. That is the story of Mazda. I am surprised that the Hon'ble Nawab Musharruf Hosain says that I phoned up to him to appear.

I have heard yet another account before and I will tell you that. As Nawab's ill luck would have it not knowing that the two lawyer friends were present when I was refusing this insistent demands of my client and also when I refused on the phone to appear before the Minister, when one of these two lawyer friends went to the Minister with an application of Mr. Mazda praying for time the Minister said "Why do you ask for time? Mr. J. C. Gupta wants to appear before me in the case." The gentlemen who knew the truth came and told me what he thought of the Minister's truthfulness. That is not all: I will give you another fact to test the absolute truthfulness of the Hon'ble Nawab Musharruf Hosain. When the case was actually taken up for argument Mr. Langford James was there and Mazda's counsel was there to ask for time. Even at that time Nawab Sahib asked Mr. Alexander, Manager of Mr. Mazda, "How is it that Mr. J. C. Gupta is not here." I now leave it to the members of the House to make the legitimate inference from all the facts which I have stated. I find one of the gentlemen I mean the advocate who went to me is present here.

The next thing that I want to give information about is this: with regard to the Nankin Restaurant Khan Sahib Abdus Sattar stood up to say "Yes, I was engaged in the case. I did go up to Darjeeling, but the fee was not the amount that was mentioned." He had no talk with Minister but he had a talk with Mr. Reid his Secretary. I am in a position to throw some light on the matter. The proprietor of the Nankin Restaurant happens to be a P. W. D. contractor and is very well known for his iron works. When I constructed a house I had placed orders with the proprietor of this restaurant, a Chinaman, and during that time he mentioned to me that he had trouble about a licence. He had fitted up a very nice building, I do not know if any of the members of this House has had occasion to go to this Chinese restaurant which is one of the cleanest and best fitted restaurants in the China town and well worth a visit.

3-15 p.m.

Now, Sir, I was not very much interested—I am not as yet interested—in drinks, but when that Chinaman delivered his goods to my place he said that he was incurring loss on account of want of a liquor licence and that his customers were complaining of indigestion even though good feeds were supplied for want of drink. I said all right,

go ahead and try for it. He also mentioned the names of several respectable gentlemen who took interest in him. I also took interest in him. Then, he came one day and said that the Licensing Board had recommended his case, but the Commissioner of Police had raised certain objections on the score of want of sufficient traffic facilities. I told him, well, you might do one thing: agree to pay for the police charges and better agree to take off your boundary wall in order to make room for parking. Sir, I will try to give what he told me a few days afterwards in his own language, as far as possible. "I have according to your advice agreed to pay all those expenses, but, Sir, one gentleman, one Chittagong M.L.C., he be a friend of the Minister, he be says he can save all expenses of police, etc., and get immediate orders from Minister." He at the same time said that the Government Departments were considering whether they should give effect to the recommendations of the Licensing Board. I said I could not understand who the Chittagong M.L.C. was. He said he was a gentleman with a small beard. I was bewildered as both my friends from Chittagong—Khan Bahadur Maqbul Husain and Khan Sahib Abdus Sattar—have got small beards on their chins. He said "he be staying with the Minister." Now, Sir, Khan Sahib Abdus Sattar said that it was a lie that the Minister knew anything about the case. I have given the House some facts about the case and the House can draw any inference it likes from them. As the bell has gone I must resume my seat.

Babu SACHINDRA NARAYAN SANYAL: Sir, I rise to make a few observations in order to make the position of the Union party perfectly clear on the censure motion. I do not want to go into the technical question whether diarchy is workable or not. But I am of opinion that even if diarchy be properly workable—suitable persons should be at the helm of affairs and not ever-shifting hands. I use the term "properly" advisedly because if we have Ministers entrusted with powers who do not command the confidence of the elected representatives of this House, *i.e.*, the real spokesmen of the tax-payers—and who are constant-changing factors the departments administered by them cannot be efficiently managed. I must at the outset make it also clear that there is no personal quarrel with any of the Ministers with our party and no sort of personal grudge has actuated us to support this motion. I take this opportunity of affirming once again that I am on most cordial terms with both the Ministers. The chief reason why we are going to lend our support to this motion is that we take strong objection to the public conduct of the Hon'ble Raja Bahadur of Nashipur and it is on this ground we hold that he should not continue to be in charge of a responsible office. For elucidation of this point I crave the indulgence of this House to carry their memory a little further back. On the 25th August, 1927, as you are all aware,

this House passed a no confidence motion on the Chakravarti-Ghuznavi Ministry. At the time of voting the Hon'ble Raja Bahadur sat on the fence—he supported Mr. Ghuznavi but remained neutral when the motion against Mr. Chakravarti came up. After this vote the Union party—the strongest party in the Council next only to the Congress party—was formed and the Hon'ble Raja Bahadur of Nashipur readily joined it with what prospects in view he alone can tell. Sometime after this the next Ministry was formed and our party tabled a no confidence motion. But on the day previous to voting the Hon'ble Raja Bahadur's conscience pricked and he threatened the party with resignation. This was a rude shock to the party no doubt but the Hon'ble Raja Bahadur gave his word of honour that he would vote with the party next day, and then tender his resignation. But when the day of reckoning came the Raja Bahadur gave a *volte-face* and to the surprise of us all he voted with the Ministers. This is not only a serious breach of party discipline but if a public man holding such an honourable position is capable of doing such an act he looses the confidence of all.

Therefore, Sir, leaving aside the question of powers of Ministers who, we are told, have "neither power to appoint nor to dismiss" our party feels it a duty to express the opinion that the Ministry which is founded on intrigue and the Ministers—at least one of them—who proves himself to be a deserter (I use a milder expression) to his party and is false to his promise in the discharge of public duty should not be placed in charge of administration.

With these words, Sir, I support the motion.

Sir ABD-UR-RAHIM: Sir, it is my duty first of all to say a few words with regard to the point sought to be made by the Hon'ble Minister for Education with reference to myself; and that is this: that somehow or other I have been responsible for his appointment. I may also mention to this House that there is a general feeling in my community that but for me he would not have occupied this position to-day. Wherever I go, not only in Bengal, but outside Bengal, Bihar, United Provinces, Delhi or elsewhere, I am told by men in very responsible position, "How is it, Sir Abd-ur-Rahim, you have put a gentleman like Nawab Musharruf Hosain in the *gaddi* of Ministers?" Sir, I do not know whether the Hon'ble Nawab is proud of the opinion that is held of him, but I wish to make it clear as I have tried to explain to every one who has spoken to me on the subject, and as I did also last time in this House, that, under the constitution and under the law, and as a matter of fact, I was in no way responsible for his appointment; I did not even recommend him as the Nawab has pleaded before the House. Perhaps he does not understand the exact significance of the word "recommend." All that I did was this.

I was sent for by His Excellency the Governor when the Ghuznavi-Chakravarti ministry fell, and he did me the honour of consulting me about the situation. I tried my best to persuade His Excellency to believe that under the circumstances that had arisen, he would not be able to get a proper ministry which would be at all stable. I argued with him for a fairly long time over this point. Then at last he asked me if I myself will accept office. I told him definitely that I would not accept the position, and, of course, he knew the circumstances——

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: On a point of order, Sir. May I ask, Sir, what has the history of the appointment of Ministers to do with the present no confidence motion?

Mr. PRESIDENT: I think, Nawab Sahib, you threw the gauntlet and Sir Abd-ur-Rahim has taken it up.

Sir ABD-UR-RAHIM: Sir, then he asked me: "Are there men in your party willing to accept the position?" I told him "Yes, a good many." Then he asked me for names. I gave him the names of six gentlemen who were members of my party and I assure this House that Nawab Musharruf Hosain was not the first name nor even the second name—he might have been the third or fourth name in that list. As regards recommending him, when His Excellency asked me about him, I told him that the gentleman might not impress any one very much in his conversation. Then he said "Has he not been a very successful business man?"

Mr. PRESIDENT: I think it is desirable that you should not refer to the private conversation which you had with His Excellency.

Sir ABD-UR-RAHIM: All that I wanted to say was that I did not recommend the Nawab beyond giving His Excellency his name as one of the six. I presume he made his choice after consulting his official and other advisers, and probably also the leaders of other groups, including the European group. That is all that I had to do with this gentleman's appointment. Sir, even supposing that in mentioning his name at all I made a mistake—though having regard to the question that was put to me I had no option but to mention his name as well—when the magnitude of that mistake became so glaring after a few weeks' experience of him in the Council judging from the sorry figure that he cut in this House, I at once began to consider very seriously whether I should not dissociate myself from him entirely. Sir, I think, it was only about two months or even less after his appointment that a very strong feeling in my party manifested itself

against the Minister. Maulvi Abul Kasem and others used to worry me day and night saying "what a man you have put in as Minister," knowing, however, all the time that I had nothing to do with his appointment.

3-30 p.m.

They insisted that I should take steps at once. I told them and pursuaded them successfully to give him a little time. He had time but he failed during that time to utilise his opportunity to make good, so much so that two days before the last motion was moved, some of the leading men of my party, including Maulvi Abul Kasem, pressed me to take steps and to make a representation to the Governor as to how things stood. I did go to the Governor and reported the facts and suggested that it was no longer desirable that the Nawab should continue in his office. Then the motion was moved; but it was lost by a few votes. Why and how suddenly within two days about half a dozen gentlemen who had been pressing me to go to the Governor to take steps in order to have him removed went over and voted against the motion I do not know; but that is what happened on the last occasion. Now the facts have accumulated since; we have further experience of the work which the Hon'ble Minister is capable of doing in some of the transferred departments and especially the most important one, namely, Education, and now we feel, at least I certainly feel very strongly, that it is not desirable in the public interest that this experiment, however it came about, should be prolonged. I say it would do no good whatever of any sort, no good to the people of the country, no good to the constitution or to any party and least of all to my community to keep the Nawab any longer in office. Mr. Travers got up to speak immediately after Mr. Nurul Huq Chaudhuri had read out his speech containing those grave charges and even before Mr. Atiqullah, who had originally given notice of a motion of no confidence, had time to state his charges, Mr. Travers got up in defence of the Ministers. He told us that though grave charges had been made, he had been assured that the charges were unfounded. I ask, how Mr. Travers came to be thus assured before he had moved from his seat that the charges were unfounded? I say that he could not have known that they were unfounded. It was in the lips of everybody in this House that there were serious allegations against the Nawab. Mr. Travers said he would wait till the Nawab replied, but in fact he made a pronouncement straight away on behalf of his party without having waited at all to hear from the Minister how he met those charges. He made the pronouncement on behalf of the British party that they would support the Ministry and vote for the Ministry. Then he repeated the threat which he had uttered on the last occasion. Mr. Travers knows that we, at any rate, on this side of the House are not going to be intimidated by such wild threats. Speaking for

myself I had advised the Governor that in the circumstances which had arisen it was not desirable to form a Ministry. If Mr. Travers had also advised on the last occasion in the same way, we would not have had the present scene. Now he says that it is no good forming another Ministry unless it has a substantial majority. That is exactly what I have been saying from the very beginning. Then why support it? That is the question which Mr. Travers has to answer. He speaks of the constitution—the diarchy. Does he want that the Ministers should give the whole constitution a bad name? I think not. Then which part of the constitution is it that he wants to support by keeping the Hon'ble Nawab Musharruf Hosain? Is it because his estimation of the Ministers, his idea of the capacity of the Ministers——

Mr. W. L. TRAVERS: On a point of personal explanation, Sir. May I tell the House that I have no desire whatever to be a Minister of Bengal.

Sir ABD-UR-RAHIM: I am not at all surprised to hear that, and I have also said that to His Excellency the Governor. I had made it clear that I for my part was not anxious for such a position. The question that has now been raised is a very serious matter. I know Nawab Musharruf Hosain causes a great deal of amusement in this House, but amusement is not the only thing which is wanted from a Minister. I for one am in deadly earnest and would ask the Government: Are the British members of the Council anxious to advance the cause of responsible Government, do they think that by keeping Nawab Musharruf Hosain and the other gentleman in office they will be able to advance the cause of responsible Government? No, they cannot. As regards the intellectual capacity of the gentleman, has he discharged his duties to the satisfaction of the people of Bengal or of this House or even of the British group of the House? No. I put it to Mr. Moberly and Mr. Travers—let them say yes or no—whether they believe that he is a fit man for the place. The next question is, having heard the serious allegations do they or do they not believe them. I ask every one in this House: Do they not believe in the truth of these charges? Or do they consider the charges to be false and fabricated? I am sure that they do not consider them to be false.

Khan Bahadur Maulvi AZIZUL HAQUE: Mr. President, on an occasion like this, it is almost impossible for one deeply interested in the future of our country to cast his silent vote. Lest I may be misunderstood, I must at once make the statement that I am not of those who is in the least enamoured of either brilliance or even

imagination in the present Ministry in Bengal. I am entirely at one with those who find the Minister of Education probably lacking in some of those qualities which are expected of a really popular Minister nor am I one of those who have reasons to believe that the association of the popular Ministers has yet appreciably furthered the people's cause in the administration of the country. I am entirely at one with my friend Mr. Nurul Huq Chaudhuri that there is hardly any party worth its name in paper amidst the non-Swarajist members of the Council—barring, of course, the European group. Successive Ministers have only made a show of party, to disappear almost the day after its rise. I do not belong to any of them. I came to the Council attracted by the prospects of the Legislature in furthering the welfare of the people, that I may do my humble quota as a son of the soil and I came here for constructive work, frankly professing in the principle of co-operation, to place my humble services in country's cause with a view to get a better state of things in the Presidency of Bengal.

While I choose my principle in co-operation which never means subservience, to work even the very little that we have got under the Reforms, I have always had my highest respect for my friends of the Swarajist party who have been consistently following a policy of non-co-operation and obstruction inside the Council, except unfortunately during the Bengal Tenancy Legislation, and in whom I find some of the best intellect and culture, a high degree of efficiency in organization and method, added to an amount of personal sacrifice and patriotism. But, Sir, the complexities of the political situation have frustrated all my hopes.

The first and foremost is the total absence of any party organization among those who want to work the Reforms. I am not willing to owe allegiance to any party which is not properly organized and for this I must lay the blame on the responsible leaders amidst us and I am at one with Mr. Nurul Huq that the younger men are tired of this state of affairs. Signs are not wanting that there is a spirit of revolt in their midst and I would only wish that the revolt could have been a really accomplished fact.

3-45 p.m.

The second reason lies in the policy hitherto followed by my friends, the members of the Swaraj party. Sir Abd-ur-Rahim has appealed to me whether the Ministry would be a fit Ministry to-day. I would answer him that till our distinguished friends Mr. Sen Gupta and Dr. Bidhan Chandra Roy or Messrs. Akhil Chandra Datta, Subhas Chandra Bose and men of their calibre choose to accept office—no Ministry can succeed in Bengal unless there is an understanding between the European and the non-Swarajist groups in Bengal. If Mr. Sen Gupta and Dr. Roy accept office, I shall this very moment

cast my vote in the Aye Lobby. If I know that our distinguished leader Sir Abd-ur-Rahim is not going again to be the victim of anti-Moslem communalism and will be accepted by the House, I shall unhesitatingly go to the Aye Lobby. But in its absence, I do not want the machinery to be choked and I am to find out some available make-shift. I shall have no alternative but to have my agonies and suffer in patience.

Others will tell me that let there be an end of the Ministry and let the Transferred subjects in Bengal be administered by the Reserved side. They will argue that it is more desirable state of affairs. Well, Sir, I am not very sure of that. And in any case, it is honest difference of opinion and I would prefer to retain mine till I am convinced not on generalities but on specific points that there is not at least some good in having a Minister responsible to some form of popular opinion.

So far regarding the constitutional issue involved in this measure.

Certain personal issues have been raised on the floor of the House yesterday and nobody has heard it without feelings of bewildering amazement no less than of horror at the charges of bribery and corruption. For myself I have looked upon these also with alarm and dismay and I am entirely at one with Mr. Travers that if there was proofs of truth in them, I shall be failing in my duty if I give any support to the Minister.

Mr. President, I am solemnly told in the House that 25 Mussulman members are in the pay of the Ministers. There are only 39 elected Mussulman members in the House and I am asked to believe that 25 of these hon'ble members are so lost to all sense of shame and decency in public life, so devoid of self-respect and commonsense that not on a question of ministerial stability nor want of confidence, but in a matter concerning the passage of a measure like Primary Education Bill, which, believe me, Sir, more vitally concerns the Mussulmans of Bengal than any other community, the Minister had to keep 25 in his pay. Sir, we have now and then been familiar with many political canards and sensations, but I have never yet heard anything in the nature of an indictment against the majority of the representatives of the people. Sir, it has taken my breath away. If I am to believe in this, I despair of Swaraj not by the end of 1929 but also a century after. After all these are the elements on whom we have to build our hope of the future. I have greater faith in my co-religionists to believe in this purile story. After Mr. Bose's pronouncement, I have very carefully scanned through the list of the members of the Council and I have with me a list of 25 members out of 39, who for the life of me refuse to believe can be amenable to any bribery and corruption. I would like to run mad before, Sir, I shall believe such a thing.

Sir open charges of bribery and corruption have been laid at the door of the Minister. I shall not attempt to vindicate him, as it is a matter concerning himself, yet if so far as it is necessary for me to make a decision as to whether he retains my confidence or not, I have made a passing reference to some of these. These statements have been made under the privilege of the House and I do not know how to get a considered judgment after investigation of all these matters. Of all things the most serious is that of Mr. Atiqullah. He was offered money about a year and a half back when Mr. Ghuznavi and Mr. Chakravarti lost offices. Money, I am told, and I am told not at that time but to-day that Mr. Atiqullah had the bundle of a currency notes following his footsteps and offered not merely before the voting but even after the voting was over and that in spite of repeated refusals that it was thrust into his pocket. Mr. Atiqullah did not tell us whether or not he kicked the gentleman who had the cheek to offer money long after the show is over to an hon'ble member of this House. Mr. President, I would have expected that Mr. Atiqullah would have immediately come to the House or go to His Excellency to lay his complaint to express his moral indignation. May I ask him why he did not tell us this so long. Mr. Atiqullah is a lawyer of some eminence. I hope he will realise that though there is no actual rule of limitation in these matters, delay in making complaints may not some time lead others to fully subscribe to his views. Sir, I find that there is unfortunately no machinery for us to enter into an investigation of these matters to-day. There is purely an oath against oath. I will herein follow the traditional course of lawyers even though I am in very bad company there, that in a matter concerning oath against oath, delay in making complaint will make the complainant lose his case, without even disbelieving Mr. Atiqullah I would prefer to give the benefit of doubt to the accused.

Sir, it is not to-day that these stories of bribery and corruptions have reached us. In the days of the full blast of non-co-operation, in the days of Mr. C. R. Das, of whom every citizen of Bengal is proud to remember, the traducers of the Swarajist party did not hesitate to wind such stories. I did never believe those stories. Later on I heard of these very things. I had my dose of suspicion even then. It is still doing with persistency. I wish there was some contrivance for us to find out the truth, but surely, Sir, purely allegations should not be the reason of hounding up even the most despicable man, even if he be the Minister. One word may I say about Mr. Nurul Huq Chaudhuri's allegations. Everything seems to have vague and a matter of adverse inference. I do not yet find anything which may lead to much definite conclusion to prove the definite connivance of the Ministers. Till that is done I would prefer to believe that my colleagues in the Council are gentlemen, that they are men who know how to spurn money even if thrust on them and

so long that is there, I have not the slightest suspicion that even if the Minister is a despicable wretch anxious to parade his long purse at every door, public life is not likely to be contaminated in any money.

Mr. W. C. WORDSWORTH: Sir, this House is very patient of repetition where the fates of Ministers are concerned, and therefore, though yesterday Mr. Travers and Mr. Thompson made clear the position of our group in this unfortunate matter it will not be amiss, and it may be a little profitable, if I resume the subject in my own less perfect way. The opposite group are slow to see any reasons why there should be Ministers and Ministries. We on this side have always been equally slow to see any reasons why there should not be Ministers and Ministries. We, I think, represent the two solid and consistent parties in this House. If there is any difference it may be that we here are a little more consistent, because there have been times when our friends opposite have said that while they are opposed to Ministries in general they will not lend themselves to attempts to break Ministers in particular, and to turn out A and B so as to make room for C and D. In so fluid a universe as our political life in Bengal, however, consistency is at best a very minor morality. What is strange now is that presumably on the same information we have arrived at very different views. We on this side have been told for the last fortnight that shameful things have happened. We have been told that these charges can be proved. We have asked for the proofs. We have been ready to receive and consider these proofs. But, said some of those who brought accusations against the Ministers, surely intelligent gentlemen like you—our intelligence is always delicately stressed in these appeals—surely an intelligent group like the European group will not support Ministers against whom these charges can be brought. Others said, wait until the discussion and then if we bring forward proofs you will have to declare yourselves against inequity in public life. We said we would wait and we have waited. In this Council we have heard much in the way of accusations, much in the way of allegations, but nothing we have heard can be regarded as proof. We have heard nothing so solid that we can permit it to determine our conduct in this very important matter. If there is anything more to be put before the House during the rest of the debate, the European group will give it their very careful attention. The matter is difficult——

Babu AKHIL CHANDRA DATTA: On a point of order. We are discussing a very important subject; there is no doubt about that. Is it not desirable, therefore, that the leader of the House should be inside the House? (Voices: He is canvassing.)

Mr. PRESIDENT: I do not know nor is it my business to know what is keeping the leader of the House away. Certainly, he is always welcome here and I think he should be here as far as possible.

Mr. W. C. WORDSWORTH: Sir, it is difficult, it is impossible to know at what point in political hostilities allegations pass into proofs. Assertions, no matter how emphatic, no matter how persistent, do not necessarily convince, and I have to say for this party that we have not yet heard anything that will convince us into a change of opinion.

We have been charged with having come here with our judgment already made up. Our judgment was made up only in the way that has been explained; that is, we were prepared to support the Ministers in this crisis unless evidence was brought forward to convince us otherwise. Now, Sir, the charges against the Ministers (in fact, practically all the accusations have been made against one of the two) may be summed up as bribery, irreverence and overweening language about himself, and maladministration in the Excise Department. Like my friend Khan Bahadur Azizul Haque I decline to believe that there is a large number of members, I decline to believe that there is any member, in this House representing the public, who will allow themselves or himself to be bribed by a Minister. Surely if it is the case the facts can be placed before us. For years these statements have been made; year after year we have heard the same charges brought not only against the present Minister but against other Ministers. It is, I may say, a permanent part of the political atmosphere of the province, but nothing in the nature of proof has been given to us and I myself am prepared to dismiss these 25 delinquents as a myth. For the European party I may confidently say that none of us have ever come into contact with any attempt at bribery; we have not received mysterious cheques by post nor have we found large bundles of paper currency in our hats at the end of a Council meeting.

One of the charges brought forward yesterday related to something that happened or was said to have happened a year and a half ago. If it has taken a year and a half to bring that fact, or quasi-fact, to the notice of the Council I cannot congratulate the hon'ble member on his expedition in disposing of this unfortunate matter.

The Minister for Education was accused by a Hindu gentleman of irreverence. When a Hindu gentleman in a Council composed of Hindus, Muhammadans, Europeans and Anglo-Indians, accused a Muhammadan gentleman of irreverence towards his own faith, it raises a delicate problem in international ethics which I am not competent to comment on. But there is another problem of delicate ethics raised. If a member of this House quotes as evidence of public

obliquity the gist of a private conversation that he or any other gentleman has had with a Minister, there is a menace to public life and an end of sanctity in private relations. Public life will become a very poor thing indeed and private friendly intercourse will entirely disappear. If, however, we are prepared to give the worst construction to the words that were quoted yesterday, it may prove that the Minister was indiscreet, that he was rash, that he was wanting in dignity, but it does not prove that he is wanting in zeal for work or that he is unable to serve the public in his capacity as Minister. I know the Minister for Education mainly in his educational capacity, and many of us do and can vouch, for our sufferings have been great, that he has at least the merit of being able to make other people work for his department. Those who have been on his Select Committee know that we have been called upon to spurn delights and live laborious days so that he may get through the work of his department. I have heard nothing in this debate which impairs my belief that the Minister is thoroughly devoted to the work of the Education Department.

Now I come to the Excise Department. With Mr. Gupta my tastes are such that I have never been brought into very close contact with this aspect of the Minister's duties. One case of which something was made yesterday and a lot has been made recently, related to a decision by which a licence was given to one of two applicants and refused to the other. I have been told, and I believe, that the Minister's contribution to that particular case lay in his accepting the recommendations responsibly put before him by his Secretary and the Excise Commissioner. If this has not been so, the file would have been referred to higher quarters for orders. It appears that the forefront of all his offending is that the licence was given to an editor. Now, in the name of all that is diarchic, why should a poor journalist not occasionally have a glimpse of the good things of life? Altogether journalists had a bad time in this House yesterday. We in Bengal boast that we are not as other men. We do not grind the faces of the humble to the dust as they do in Madras, yet if when a Minister shows a little kindness to one solitary member of a depressed class there is all this shouting and hullaballoo.

Mr. PRESIDENT: Mr. Guha, I object to your coming into the House without proper ceremony.

Mr. W. C. WORDSWORTH: Is it contended that an editor is not fit to be entrusted with this responsible duty of selling drink? Men who give advice to kings, statesmen, dictators and presidents, may perhaps be fairly allowed now and then to test their fitness for serving the community in other, and perhaps higher, activities.

Mr. PRESIDENT: I could not catch your last words: what did you say?

Mr. W. C. WORDSWORTH: I said that men who tell kings, statesmen, dictators and presidents what they ought to do may fairly be allowed to test their fitness for serving the community in other and perhaps higher ways.

One last remark. It is evident that there is a very strong opposition to the Minister to-day. That opposition is made up of several converging forces: the party opposite, whose policy is to oppose any Ministry; certain members who are honestly indignant for reasons which they think sufficient; others perhaps who hope to see the Ministers displaced as a preliminary to a further hope that they themselves may be invited to replace them. This opposition we have is stronger than is justified by any sense of responsibility to the public interest, and unless——

(Here the member having reached his time-limit resumed his seat.)

Maulvi KADER BAKSH: Sir, I had no mind to take part in the discussion but as an attempt has been made to throw dirt most unreasonably upon a large number of the Mussalman members, I think that I should not keep silent but I should make an attempt to discuss the pleading raised by the prosecution, and by the defence with a view to ascertain the comparative merits of each party's case. In the speech of the mover, Mr. Nurul Huq Chaudhuri, it has not been said what is the offence the Raja Bahadur has committed and why the motion of no confidence has been moved against him. Mr. Chaudhuri has not been fighting on the principle on which the Swarajist party has fought over the question, *i.e.*, the wrecking of the diarchial form of Government, so I fail to understand the motive by which Mr. Chaudhuri has been actuated to move the motion of no confidence against Raja Bahadur.

With regard to the motion about Nawab Sahib, Sir, I have neither come to bury Cæsar nor to praise him, but I only want to show that the charges are absolutely groundless and absurd. First, I shall deal with the charges brought by Mr. Atiqullah. He has said that there was an attempt to bribe him both by the Nawab Sahib and by his men in March and August, 1927. Let us examine this statement and let us ascertain whether there could have been any occasion for it, and whether the charges are logically consistent. It is well known to all of us that in March, 1927, Mr. Atiqullah belonged to the party of Sir Ghuznavi. The voting on the motion of Mr. J. L. Bannerjee for the refusal of the Ministers' salary will show that he belonged to Mr. Ghuznavi's party. Then Mr. Atiqullah deserted Mr. Ghuznavi and voted against him on the no confidence motion moved by

Dr. B. C. Roy on the 25th of August, 1927.. I hope I may be permitted to bring back to your recollection the observation which Sir Abd-ur-Rahim made with regard to the supporters of Mr. Ghuznavi while supporting the motion of Mr. J. L. Bannerjee on the 12th of March, 1927. It runs thus: "This ministry is built on intrigue. The Hon'ble Mr. Ghuznavi may have a few hired votes but that will not help him. The whole community is against him. He will have to go down."

I shall leave it to you to deduce for yourselves as to who were meant by these hired voters. Then let us come to the events of 26th of August, 1927, when Dr. B. C. Roy moved his no confidence motion. The voting will show that Mr. Atiqullah deserted Mr. Ghuznavi and voted for the motion. He did not explain why he did so. He might have been actuated by two motives, one is the Kulkati (Ponabalia) reason which to use Sir Abd-ur-Rahim's words "you know how the incidents of Kulkati stirred the Muhammadan community in Bengal and if you followed the newspapers you will agree with me that it stirred the community in all parts of India and raised indignation to a high pitch in the community throughout the whole country. They have not forgotten it nor are they likely to forget it unless full redress is given. It was a special duty of one who represented the Muslim community in the Government, *i.e.*, Mr. Ghuznavi, to press strongly upon Government to grant our modest prayer, *i.e.*, an independent and impartial inquiry. A representative of the people who has not the courage even to do this much, do you think that the people can have the least confidence in him. The whole community is against him." If Mr. Atiqullah was actuated by a motive that Mr. Ghuznavi has failed in this duty and that it was his duty to throw out Mr. Ghuznavi then the question of any attempt to bribe him to vote for the no confidence motion does not arise. It was his self-actuated feelings which prompted him to vote against Mr. Ghuznavi. Then the statement of Mr. Atiqullah that he was offered bribes by Nawab Sahib or anyone on this occasion is logically inconsistent, fallacious, absurd and stands self-condemned and more so because at that time he was the canvasser for the no confidence motion and moved about with the Swarajists. If it was not actuated by Kulkati issue to rise against Mr. Ghuznavi then the second suggestion comes in automatically which is this—that as the motion was introduced by the Swaraj party, my hon'ble friend Mr. Atiqullah must have been won over by the Swaraj party and how I do not know, Nawab Sahib could have no occasion to offer bribe to him on this occasion. Moreover, Nawab Sahib was not in the running for the ministry at that time. Later on how Nawab Sahib became the Minister is too well known to require any mention. It was the doing of Sir Abd-ur-Rahim, and as all the

members who followed Sir Abd-ur-Rahim, left the question of the selection of Ministers to him, no question of bribe to be advanced by Nawab Sahib can arise in this connection.

4-15 p.m.

Then the question of offering of bribes by Nawab Sahib or by his men has no foundation at all. A no confidence motion was brought against Nawab Sahib in March, 1928. A large portion of the Muhammadan community left Sir Abd-ur-Rahim's party for reasons which, I hope, you all know, though I shall repeat it here: it is the treatment which was meted out to the Muhammadan members by Sir Abd-ur-Rahim at his own house, and which was resented by his followers. I believe that the enemies of Sir Abd-ur-Rahim, who envied his position, ability, and statesmanship, and his earnest endeavour to bring about solidarity amongst the Muhammadan councillors, tried their level best to bring about a disruption in his party and also to discredit him before the public, and they succeeded in both. Most of the Muhammadan members who accepted Sir Abd-ur-Rahim's lead with very high hopes were either driven out by him on the "Pride's Purge" Night at his House, or compelled to leave him most unwillingly for the attitude he had taken up—a most sad day in the history of the Muhammadans of Bengal. On the happening of this incident, a big number of Muhammadan councillors came to the side that was wronged, *i.e.*, the side of Nawab Sahib, and he thus obtained a clear majority, and as such no question of bribery can arise in this case also.

Now, Sir, I will come upon Mr. Atiqullah with a very serious charge. He said that he was offered bribes by Nawab Sahib in March, 1927, and that the offer was repeated twice again. He says that a bundle of notes was either put or was going to be put in his pocket in the lobby. As a self-respecting man, Mr. Atiqullah should have handed the bribe-giver to the police then and there (there was no dearth of Sergeants in the lobbies), or at least he should have brought this matter to the notice of this Council. He did neither. What was the motive then? Was he undecided as to whether he should accept or refuse it? If so, he is guilty of a very serious offence. He was approached again in August. It is about two years since he was offered bribe for the first time. He also got an opportunity in the March Session of 1928 to bring before this House all these charges of corrupt practice, when the no confidence motion was moved against Nawab Sahib. He kept a criminal silence over it for these long two years and permitted this heinous practice, if at all true, to be continued during this long period. Could any man believe that Mr. Atiqullah, honest as he is, especially when he cannot put up with corrupt practice in any shape, would not have taken steps long before to remedy this evil? Under the circumstances, the conclusion is

irresistible that no corrupt practice existed, nor was it resorted to, and Mr. Atiqullah has nothing to complain against Nawab Sahib.

With regard to the other charges, raised by him, they are too vague to claim any attention from this House.

Then with regard to Mr. Bose's statements, I do not know the truth or otherwise of what Mr. Bose said. What passed between two friends in their friendly discourse, I think, even if true, should not have been mentioned on the floor of this House, but since it has been mentioned, I think it has to be touched upon. It passes my comprehension why Nawab Sahib should give over the key of his confidence to Mr. Bose—an avowed Swarajist. His first statement was that Nawab Sahib mentioned to him that 23 Muhammadan councillors were in his pay for getting through the Primary Education Bill. Mr. Bose knows full well that Nawab Sahib had never, nor even now has, 23 Muhammadan supporters, and as such the statement has got absolutely no meaning; but if that was at all said by Nawab Sahib it must have been only as a bluff, and could have no foundation in truth. Moreover, Nawab Sahib knew full well, as well as Mr. Bose, that the whole Muhammadan population of Bengal, and a good proportion of their representatives in this Council, were in favour of the Primary Education Bill and wanted to have it passed, and as such the question of having 23 or any Muhammadan councillors in the pay of Nawab Sahib is a logical fallacy.

The second statement, which Nawab Sahib is alleged to have made during that friendly discourse, is that what the Prophet could not do, he would do or was going to do by the introduction of the Primary Education Bill. Nawab Sahib could not have certainly meant, even if Mr. Bose's statement is taken as true for the sake of argument, any disrespect to the Prophet. True Mussalman as he is, Nawab Sahib might have meant, I do not know what language he used at the time, to give expression to his feelings about the mandate of the Prophet of Islam, *viz.*, that it is incumbent on every Muhammadan, male or female, to educate himself or herself. If Nawab Sahib was keen about the Primary Education Bill, it was certainly with a desire to give the Muhammadans facility to act up to that mandate. The passionate way in which Mr. Bose wanted to rouse the religious feelings of the Muhammadan members against Nawab Sahib in his usual persuasive language reminds me of the weapon which the Mollahs in Afghanistan have used against King Amanullah for the introduction of reforms in Kabul, but we the Muhammadans here do most indignantly refuse to rank ourselves with the agitators and the agitated *junglies* of Kabul, and must guard ourselves against allowing anybody to throw dust in our eyes.

With regard to the statements of Mr. Nurul Huq Chaudhuri, I must thank him for the emotional speech in which he put forward his case, but, on analysis, the charges contained in his speech cannot but be admitted as too vague.

Sir, I cannot be a party to a motion like this especially when it has got no foundation in truth. I must declare, as a true Moslem should do, to the whole world that the Muhammadan representatives in the Bengal Legislative Council are no mean-minded people, that they are no commodities for public sale, and that such a motion has been brought forward at the instance of some designing men for showing that the Muhammadans are unfit to take their due share in the administration of the country, and that they have no legitimate claim for a larger number of seats in the Council through separate electorates.

[At 4-20 p.m. the Council was adjourned and reassembled at 4-35 p.m.]

Babu NALINIRANJAN SARKER: On a point of order, Sir. Can the Ministers vote on motions of no confidence in them?

Mr. PRESIDENT: Yes. That has been the practice in this Council and there is no rule against it.

Babu SURENDRA NATH BISWAS: May I ask the Hon'ble Minister in charge of the Excise Department——

Mr. PRESIDENT: Mr Biswas, I suppose you have not spoken as yet. I think you should put your questions to the Hon'ble Minister when you speak on these motions.

Babu MANMATHA NATH ROY: May I inquire of you, Sir, as to what is the practice in the British Parliament in the case of no confidence motions in Ministers? Are they allowed to vote in their own favour?

Mr. PRESIDENT: Unfortunately I have no personal experience and so could not tell you what the Parliamentary practice is; but if I remember aright, I have read that in the British Parliament the Ministers do vote for their own salaries. I think that is quite sufficient for my present purpose.

Babu MANMATHA NATH ROY: There have been instances in the past of such motions being brought forward against Ministers in the British Parliament. May I know, Sir, what the Ministers did on such occasions?

Mr. PRESIDENT: I could not tell you that offhand. All that I can say is that I read of instances in which Ministers voted for their own salaries in the House of Commons.

Mr. P. C. BASU: On a point of order, Sir. Can an expert nominated member vote on these motions? I refer to Dr. Jenkins who has been nominated to this Council for purposes of University legislation.

Mr. PRESIDENT: I understand that there is no expert member on the floor of the House. Dr. Jenkins is an ordinary nominated member, and so he has every right to vote on these motions. You are not correct in saying that Dr. Jenkins has been nominated as an expert member for the University legislation.

Babu SURENDRA NATH BISWAS: Sir, I do not wish to make any speech on these motions, but I wish to put a question or two to the Hon'ble Minister in charge of the Excise Department. Was any representative of the liquor trade taken on the Licensing Board in spite of protests from members of the Temperance Federation on the Board, including Sir Deva Prosad Sarbadhikari, who was the Chairman of the Board? Is it also a fact that the representatives of the Temperance Federation on the Board resigned as a protest? I want to know, Sir, what the Hon'ble Minister has got to say.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, questions have been put to me----

Mr. PRESIDENT: Nawab Sahib, I would suggest that you should, if possible, make one speech to explain away all the charges instead of rising to speak from time to time.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want your permission to reply later on.

Mr. PRESIDENT: All right, you may do so.

Dr. Sir DEVA PROSAD SARBADHIKARI: Whatever my own individual tastes, like those of Mr. Wordsworth, may be, for my sins I have been associated with the working of the Excise Department in one shape or another ever since the commencement of my public life. As I understand this motion, it is based largely on what has been done or not done in the Excise Department of the Government of Bengal. I am somewhat surprised, Sir, that the real issue in this concern has not yet been brought forward. Reference has been made to individual shops and individual dealers with which the Licensing

Board, as a Board, had nothing to do, but facts have come under our notice here regarding which I should be doing less than my duty if I were not to place before the House what really happened in some of these cases.

Regarding the shop of Eugene & Company, the Hon'ble Minister said yesterday that the Licensing Board for no reason whatever turned the licensees out after 17 years. The facts of that case, Sir, were that warning had been given to the owner of that shop, a lady, who, under the rules of the Excise Department, was not ordinarily entitled to hold a licence, and as there were too many shops in the neighbourhood, that shop had to go. Those who know the neighbourhood, must know that within half or less than half a mile, from Sealdah Station to Dhurrumtolla crossing, there were about six shops. The continuance of this shop in that neighbourhood was undesirable, and so this shop was ordered to be abolished.

4-45 p.m.

What were the facts of the case when this shop was ordered to be abolished? The Excise Commissioner himself moved that all the shops, the abolition of which was recommended, should remain with the exception of Eugene & Company's shop, which should be abolished. This was because there was at the corner of the Bowbazar Street a big wholesale and retail shop, and in fact there were as many as 6 shops in the neighbourhood of one kind or another. There was not one dissentient voice with regard to that decision. The Commissioner of Excise, the Collector of Excise, the Police Commissioner and Mr. Peliti, among others, all voted in favour of the abolition of that shop; but, Sir, Government was supreme, and when the matter went up before them, under the cabalistic signature of the Secretary, the recommendation of the Licensing Board was turned down; and therefore I submit the Hon'ble Minister was wrong in saying that for no reason whatever the Licensing Board had recommended the abolition of that shop. These licences are granted from year to year and after due warning the shop was abolished. It was represented that in the Chowringhee quarter, for accommodating the Europeans, another shop was necessary, and that also the Board assented to.

Time will not permit me to go into all these cases, but I wish to say a word or two regarding one or two other shops. Regarding the Nankin shop, the Police Commissioner was as strongly opposed to the granting of the licence as possible, and the Hon'ble Minister will himself see that the police objections were of the utmost vigour and volume with regard to that shop. So far as the Board was concerned, they assented to the licence, by a majority. Then, Sir, as regards the Chowringhee shop, to which I have already referred, that was allowed by the Board because Eugene & Company had been abolished.

All these will go to show that the Licensing Board was working in unison with the officials and with the representatives of the Corporation and those interested in the liquor trade, but there was soon a rift in the lute for which the Government is responsible and for which there was no reason.

Sir, there is a long history about the representation of the liquor trade on the Licensing Board. As long ago as 1925 two representatives of the liquor trade were appointed on the Board. The Temperance Federation at once objected and said that it was unthinkable that there should be any representation of the liquor trade on the Board. It was a most unusual thing. We approached the Hon'ble Nawab Bahadur Nawab Ali Chaudhuri. We also approached Lord Lytton. I shall not refer to what happened at the interview with His Excellency the Governor, because I do not consider it to be a correct thing to do. Government, however, ultimately thought that there should be no representation of the liquor trade and the Licensing Board must be constituted on that basis. And we went on without any hitch. And, Sir, without the slightest notice to any one, like the dropping of a bombshell, two representatives of the liquor trade were placed on the Board in May last. The representatives of the liquor trade who complained had the good sense and grace to say that, although on principle they objected to the President of the Temperance Federation being the President of the Licensing Board, they had nothing to complain about his impartiality in the management of the affairs of the Board. After that we had to resign. We approached His Excellency the Governor and the Minister-in-charge and an understanding was arrived at. The understanding not having been carried out, we felt it our duty to persist in the resignation, though requested to withdraw, myself and the members of the Temperance Federation who were representatives on the Board. Months and months, weeks and weeks passed and yet we did not get any information as to what the Government was going to do. And it was during this interegnum that abuses about which the House has heard mostly occurred.

So far as the Temperance Federation is concerned, I may tell the House that they are no longer interested in the Board: they are not coming back after the treatment they have received from the Government unless a better policy is adopted. Our objections to the representatives of the liquor trade continue unabated.

I should like to take this opportunity of asking the Minister as a test question whether it is the intention of Government to continue in the policy which has been objected to. That, Sir, is a question that has not been raised by any one up till now.

I am afraid I do not share the views of Mr. Travers in his bluff, although I believe in the stability of ministry. We, liberals, are bound to support the Government so long as it is possible for us to

do so, and must oppose the Government when necessary. I place the responsibility with regard to the administration of the licensing department on Hon'ble the Minister and when I have got a satisfactory answer with regard to the charges against that administration, it would be possible for me to form my opinion for the purpose of voting at this crisis.

Mr. J. M. SEN GUPTA: Mr. President, Sir, I wish that I was not speaking on these two motions, but I find that on every occasion that motions of this description are put forward in this House, the leaders of the European group would not give me any choice but to take part in these debates. But for Mr. Thompson and his analogy of a bridge table, perhaps I might have restrained myself from taking any part in this discussion.

Sir, on other occasions when these motions came up, we fought on clear principles. We, who are opposed to diarchy, attack the Ministers and the ministry. Those who were in favour of running diarchy supported the Ministers—some simply because they were Ministers, others because they liked the policy that the Ministers followed. But I am sorry to say that on this occasion, although our attitude towards the system of diarchy remains unaltered, the members of the whole House—it makes not the slightest difference to which party they belong—have got to cast their votes on the motions not on the question whether they like diarchy or not—but on the broad question as to whether or not, even though they are satisfied that the Ministers are guilty of corruption and dishonesty, they are prepared to support them. (A VOICE: "No.") I am glad to hear the answer "No" from a member, I hope, of the European group. People who feign sleep while they are wide awake, can never be roused, and that is my charge against the European group. Let the members on that side of the House put their hands on their hearts and answer me whether they believe Mr. Atiqullah or not when he said that an attempt was made by the Hon'ble Minister to bribe him at the time when the no confidence motion was brought up last. Let them put their hands on their hearts and tell me whether they believe it or not. I know these clever defences which are made by clever lawyers. We are not dealing with the question in a court of law before a judge and gentlemen of the jury. We are here to see as members of this Council whether that gentleman occupying that chair is fit to have our confidence. That is the question. We do not want, as the Hon'ble Minister led us to believe, to treat him as an accused in the dock, who wanted the services of a counsel or pleader. I have never heard of such a procedure in the history of the House of Commons and I have never heard a Minister say on a no-confidence motion "I am an accused person, I have no pleader to defend, I want time to answer the charges"

We know that these are only tactics for time. What were the tactics followed by the ministerial party yesterday? Were they not tactics for time? Were they not tactics for getting time for the preparation of a written speech? If any one had made charges against an honest member and he had for the first time heard that he was being accused of putting money in the pocket of a fellow member—what would you expect the member charged to do? Would he not at once get up and say, notwithstanding the rules and conventions of parliamentary language, "it is a lie—an abominable lie; let him come out and say that to me and not shelter himself behind the privilege of the House"? Did we get any such answer from the Hon'ble Minister yesterday? We did not. He wanted time. He knew the charges to be true, however much he might deny them. We knew about these things, and let those gentlemen opposite answer me whether they did not know about these things 10 or 12 months ago. Let them answer me and I shall deal with them properly. They know they cannot do this. Mr. Travers may have a little sympathy for Nawab Musharruf Hossain, a fellow tea planter in the same district. (Laughter).

Mr. W. L. TRAVERS: On a point of personal explanation, Sir. I had no knowledge whatsoever of the charges which have been made to-day.

Mr. J. M. SEN GUPTA: Mr. Travers is following the footsteps of clever lawyers. It is very easy to say that I have no knowledge of these things although I hear people around me shouting that this man is guilty of corruption and bribery. I know that in cases in court, witnesses in cross-examination are asked—do you know this from personal knowledge? He answers—no, I have heard from a man whose integrity I cannot doubt. But on a question of no confidence in Ministers who are to run the Government of the country such things cannot arise. Mr. Thompson has said that I had refused to "cut in" at a table of bridge and so I had no right to speak anything in regard to the game. Let me assume that I am bound by the Portland Club rules but I take it that although I do not "cut in" at the table, I am allowed to sit and watch the game as it proceeds. Mr. Thompson is playing with his partner who is cheating at the table. Mr. Thompson is trying to save the cheat and the other players who are opposing him refer to the man who is watching, and according to the Portland Club rules am I not entitled to say that this man who is your partner is cheating. That is a right which I am exercising to-night.

You may honestly believe that diarchy is good, and I may believe honestly that this system of Government is rotten to the core. I find not only that the system is rotten to the core but that the very Ministers

in whose hands rest the administration of Bengal are dishonest; and at that time Mr. Thompson tells me "No, you must not expose the cheat, because you have refused to 'cut in.'"

Mr. Thompson's speech reminds me of the stand taken by the British Cabinet as to the right to determine what sort of administration India should have, the right of the British people and the right of the British public. It seems to me that Mr. Thompson and his compatriots from a country 6,000 miles away from this land seem to think that we members of the Congress Party, we the elected members elected by the Indian electorate, have no hand in the Legislative Council--that we have no hand in the game, but that Mr. Thompson as a member representing a few thousand Europeans amongst millions of Indians in this country seems to think that they have a right to say who should be the Minister, even though charges of corruption and bribery have been brought against them, even though those charges have been brought home to the Ministers.

I submit, Sir, that a false cry has been raised that this is a communal question and that charges have been made against the Muhammadan Minister. I regret very much that in recent times whenever this question was raised Mr. Azizul Haque got up to say that this was a communal question——

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of personal explanation, Sir. I never said that.

Mr. J. M. SEN GUPTA: I think it was Mr. Kader Baksh

Maulvi KADER BAKSH: I too never said that.

Mr. J. M. SEN GUPTA: I am glad to hear that. But my recollection is otherwise. However, there is no communal question in this matter. On the last occasion when we turned out the Chakravarti-Ghuznavi ministry, it was I who said from this very place that Mr. Chakravarti, a Hindu, was suspected of being involved in certain suspicious transactions in the Bengal National Bank and the Banga Luxmi Cotton Mills and that was enough for us to say that he did not enjoy the confidence of this House. We never make any distinction between a Hindu and a Muhammadan when they are guilty of dishonesty or when they are suspected of dishonesty.

Maulvi KADER BAKSH: On a point of order, Sir. Is the member in order in referring to this matter? Nobody raised that question.

Mr. PRESIDENT: He is perfectly in order.

Mr. J. M. SEN GUPTA: I will put one question to Mr. Travers. He can deceive himself if he likes, but I will put him this question; how long is he going to deceive his following, how long is he going to deceive the whole European community which he professes to lead in this House, how long is he going to deceive the whole Indian public by holding out such threats as he has made?

It reminds me of that much despised and well-known Indian quarrel between servants. A bearer from a neighbouring province when every time he was hit by a fellow servant of his, said "next time you hit me I will kill you" and every time he was struck by the stronger fellow servant he repeated "hit me again and I will know what to do." That is exactly the position of Mr. Travers. This is not the first time that I have heard from him on the floor of this House that he would not be a party to the formation of a new ministry, if the present ministry was defeated. I ask him this simple question, does he not believe in Mr. B. K. Bose that the Minister is capable of telling an untruth? Does Mr. Travers doubt that the Minister can tell an untruth? I know he does not. Can any one swear that he did not even speak in that strain that he had so many members in his pay? The question is did he tell Mr. Bose that he had 23 members in his pay, and from that what is the inference? Can you doubt that he made that statement? At the same time I think no one can believe what the Minister had stated was true. I cannot believe that such a large number of Muhammadan members can be so dishonest—it is impossible. Such a general and terrible accusation against a whole community cannot be true. But that he attempted to get a few members over to his side by questionable means is perfectly clear from his statement.

(At this stage the member having reached the time-limit was allowed 2 minutes more to conclude his speech.)

The question is simply this. Do you believe that he made that statement to Mr. Bose I say you have no other alternative but to believe that such a statement was made. What is the use of deceiving ourselves? We all know that Nawab Musharruf Hosain was trying for the last year and a half to keep his following intact. We know he had been trying to do that with money offers. This is a scandalous state of affairs and it is more scandalous when a Minister of the Crown does this sort of thing.

I have nothing more to add except this that the Hon'ble Raja Bahadur of Nashipur has escaped almost complete notice from the members of the House on both sides. I should like to say one word about him. Is he competent to carry on? Did he not say when accepting office that he was going to have joint responsibility with Nawab Musharruf Hosain? Was it not his duty when he came to know this thing on the floor of the House yesterday to get up and say "I

dissociate myself from the Hon'ble Nawab Musharruf Hosain, Khan Bahadur; here is my resignation." He has not done so. Is it to be presumed that during these months the Hon'ble Raja knew nothing of the Excise Department? I was glad to hear Mr. Thompson yesterday say that if one Minister of the Cabinet in England went against the Prime Minister, sometimes the whole Cabinet failed. Here are the grave charges against the senior Minister of Bengal and the junior Minister sits calm and quiet without a single follower in Council. I submit if you throw out one of the Ministers, you are bound to turn out the other as he had accepted joint responsibility and has not repudiated the charges nor has he dissociated himself from the allegations made.

Mr. PRESIDENT: Order, Order. Before I give the Hon'ble Minister an opportunity to speak, I should like to tell the House that it is now 10 minutes past five and I wish to divide the 20 minutes still left between the two Hon'ble Ministers, who want to speak. I then put the question forthwith.

The Hon'ble Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Let me say at the outset, Sir, that I will be very brief in my speech. Sir, as you know I am a moderate speaker, I mean I am moderate in my views and speak moderately. I had no idea that I should have to speak on this occasion, but on the accusations made by the member of the Union party, I think that I should say something, as it is not desirable that the charges should go unrepudiated and the decree passed *ex-parte*. With regard to the charges that has been brought against me by the Union party, I have to say that I resigned this party at a later stage on some reasons. Should it be said that resigning the party is a crime then the first person to be blamed for such misdemeanour is Sir Deva Prosad Sarbadhikari as I only followed in his footsteps. I admit, Sir, that I told the party that I had an intention to remain there, but for certain reasons which I will explain I had to resign. Was it not a fact that when a meeting of the party was held at Natore's place to decide that a motion of no confidence should be brought forward I had not been asked to attend? I knew nothing about this matter nor was I invited to discuss it. I asked the Secretary of the party with regard to this information whether the Maharaja of Natore had sent in his resignation and he intentionally avoided to give me a reply and answered in negative though it was an open secret. If the party does not put any trust in a member, I think it is better for that member and the party, to cut off their connection with each other. On these grounds, Sir, I had to resign. Had I not resigned then, I would have resigned later. Some members had approached me previously and had requested me to help

him to get the appointment of Minister against another member of the same party. I do not appreciate this sort of policy and I should not like to remain in the party, where intrigue is being practiced against other members of the said party. On principle I did not like to associate myself with a party a member of which requested me to get an appointment for him and to see that the other member should not get it and even he would be glad if an outsider would get it.

Mr. H. S. SUHRAWARDY: On a point of order, Sir. On behalf of the party I should like to point out——

Mr. PRESIDENT: That is not a point of order. I would not allow you to speak at this stage.

Maulvi NURUL HUQ CHAUDHURI: On a point of personal explanation, Sir.——

Mr. PRESIDENT: Not at this stage.

The Hon'ble Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: With regard to the other points raised by Mr. J. M. Sen Gupta, I should like to say that I was under the impression that Mr. Nurul Huq Chaudhuri had informed the House of our joint responsibility yesterday. As a matter of fact I know nothing of the departments working under my colleague and though we have joint responsibility, we do not like to interfere with others works. We jointly held office and we go jointly when we think proper. I should like to inform the House that we were working on joint responsibility.

5-15 p.m.

With regard to the main question my opinion is that generally such a resolution is not unwelcome to a Minister because it gives him an opportunity of reviewing his work, explaining his policy and defending his actions. I have listened anxiously throughout the speeches that have been made yesterday for any indication of the grounds on which this Council is invited to express its dissatisfaction with my work. Sir, I have listened in vain. Mr. Nurul Huq Chaudhuri offered to denounce the conduct of the Ministers (in the plural number) but after speaking with much enthusiasm he has spoken against the Minister (in the singular number) probably counting me as one outside. The House, I submit, will concede that an unfounded and unsubstantiated charge should not weigh against me merely because the mover has thought fit to launch a strong indictment against me at the beginning.

I turn aside now to the other criticism made. The departments entrusted to my charge have scarcely been mentioned and I therefore

feel that a detailed explanation of my policy is not really required. I am therefore forced to the conclusion that this resolution has been tabled in pursuance of the general policy of the opposition to prevent any Ministry whatsoever from carrying on the work of the country. I admit that the opposition have followed their policy consistently and on occasions with considerable success. I realise that the leaders of the opposition are as much entitled to hold their own opinion on that subject as I am to mine. The position, however, is that we may differ on the subject. For my own part I felt it to be my duty to my countrymen and to my province to take up office and I did so but not without some previous hesitation and reluctance. I maintain now that however limited and restricted my opportunities may be, I am nevertheless able to contribute from a purely national point of view to the deliberations of Government.

Although it is true that lack of money prevents the development of any progressive policy, I feel that if a Minister wishes, he can do something. I accepted office simply and solely for the purpose of furthering the interests of my countrymen, but, as I have already said, the opposition takes a different view. Their theory is perhaps arguable but surely they will permit others to differ from them. I am open to receive the co-operation and assistance of every member of this Council in the administration of my departments and in the framing of a policy which will be for the benefit of our province. Some of the members of this House may consider that their creed of non-co-operation prevents them from giving the assistance of their ability and experience. I admit the fact although it is surely not inconsistent with their creed to permit me and those who think with me to do what I can——

Mr. PRESIDENT: Your time is up. I must now give the Nawab Sahib a chance to speak.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I have been asked several questions in the course of the speeches delivered yesterday and to-day. One of the questions that has been put to me is in respect of the Licensing Board. The Licensing Board as originally constituted had no representation of trade.

Mr. PRESIDENT: There is only five minutes to spare and you must be brief and to the point.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur: Trade was then included on the recommendation of the Licensing Board. When the temperance people desired to have a representation of trade, I asked them to reconsider the position and as they

declined to reconsider, we had to abolish the whole thing. The new Licensing Board will be formed soon without any representation from trade.

Sir, I expected that Mr. Sen Gupta will speak something new but I find nothing new in his speech. I thought that he would, as the leader of the party opposite, throw some new light in the discussion that has taken place, but unfortunately I must say that I have been disappointed. (Laughter from opposition benches). Sir, I have already repudiated what Mr. Bejoy Krishna Bose spoke in this House—which I again emphatically repudiate. I have nothing new to say in this connection. I say this much, however, that nothing has been proved against me.

Mr. SYED MD. ATIQULLAH: Sir, may I say something by way of personal explanation?

(Maulvi Nurul Huq Chaudhuri also rose.)

Mr. PRESIDENT: No, I do not allow you to say anything at this stage.

The motion that this Council has no confidence in the Hon'ble Nawab Musharruf Hosain, Khan Bahadur, Minister for Education, being put, a division was called for.

Mr. P. C. BASU: On a point of order, Sir. Is it the Parliamentary practice that a Minister against whom a motion of no confidence is brought can call for a division?

Maulvi ABUL KASEM: No, Sir. It was I who called for the division.

Mr. PRESIDENT: It does not matter whether it was the Hon'ble Minister or any one else who called for the division. The Chair has got to give a division when it is called for. The Minister is as much a member of this House as you are, Mr. Basu. (Laughter).

The division was then taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Ali, Mr. Altaf.
Atiqullah, Mr. Syed Md.
Bagchi, Babu Ramen Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Promotha Nath.
Banerjea, Mr. A. C.
Banerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Basu, Mr. Sarat C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.

Chaudhuri, Rai Harendranath.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Amulya Chandra.
Dutt, Babu Saral Kumar.
Faroqui, Khan Bahadur K. G. M.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gofran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Huq, Mr. A. K. Fazl-ul.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Lala, Babu Sareda Kripa.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Tarakanath.
Naskar, Babu Nem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Azizur.
Raikat, Mr. Prasanna Deb.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sanyal, Babu Sachindra Narayan.
Sarbadhikari, Dr. Sir Deva Prasad.
Sarkar, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sen, Mr. Satish Chandra.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Suhrawardy, Mr. H. S.

NOES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Baksh, Maulvi Kader.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur,
Choudhury, Maulvi Golam Mawla.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McC.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hussain, the Hon'ble Nawab Musharrut, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Ismail, Khan Bahadur Maulvi Muhammad.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. B.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. G. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Philpot, Mr. N. C. V.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Rees, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarkar, Rai Sahib Rohati Mohan.
Sattar, Khan Sahib Abdus.
Shah, Mr. Gholam Hossain.
Sinha, the Hon'ble Raja Bahadur Bhupendra Narayan.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

Mr. PRESIDENT: Before I announce the result of the division, I should like to make it clear to the gentlemen in the galleries that they are not allowed to make any demonstration when the result is made known.

The Ayes being 65 and Noes 59, the motion was carried.

The motion that this Council has no confidence in the Hon'ble Raja Bhupendra Narayan Sinha Bahadur, of Nashipur, Minister for Local Self-Government, was then put.

Babu AKHIL CHANDRA DATTA: On a point of order, Sir. The responsibility of the Ministers is joint and one Minister having already been voted out, is it competent for the supporters of the Ministry again to vote in favour of the second Minister?

Mr. PRESIDENT: I think they have every right to vote in support of the other Minister if they feel justified to do so.

Babu MANMATHA NATH ROY: Would that be of any use?

Mr. PRESIDENT: It is not a question of use or no use. It is left to the discretion of the members to vote either for or against the Minister.

Mr. E. C. ORMOND: Sir, the question is, is the Hon'ble Minister still a Minister? I mean the Hon'ble Minister in respect of whom we are going to vote—is he still a Minister?

Mr. PRESIDENT: If you are referring to the Hon'ble Raja Bahadur of Nashipur, yes, he is still a Minister and will be a Minister till he has actually resigned.

Mr. J. M. SEN GUPTA: May I just put a simple question? Having regard to the statement of the Hon'ble Raja of Nashipur that he, as a Minister, shares joint responsibility, having regard to that statement, that clear statement, that he stands or falls with the Hon'ble Nawab Musharruf Hosain, I ask you whether it is not the duty of the Hon'ble Raja Bahadur now to say that he is bound to resign his Ministership.

Mr. PRESIDENT: If the Hon'ble Minister does so it will, of course make matters easier for every body here. But in the absence of any such pronouncement from him and having regard to the fact that my knowledge is rather insufficient as to whether the responsibility is really joint or otherwise, I think the safest course for me is to put the motion.

The division was then taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Bhoshi Kanta.
Ahamad, Maulvi Asimuddin.
Ali, Maulvi Syed Nausher.
Ali, Mr. Altaf.
Atiqullah, Mr. Syed Md.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Basi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakraborty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Chaudhuri, Rai Harendranath.
Das Dugta, Dr. J. M.
Datta, Babu Akhil Chandra.
Datta, Babu Ameiya Chandra.
Dutt, Babu Sarat Kumar.
Faroqui, Khan Bahadur K. G. M.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gofran, Maulvi Abdul.
Gupta, Mr. Jogesh Chandra.
Himatsingha, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Huq, Mr. A. K. Fazlul.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Khan, Babu Debendra Lal.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Lala, Babu Sarada Kripa.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukherjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahim, Sir Abdur.
Rahman, Maulvi Aziaur.
Raikat, Mr. Prasanna Deb.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy Mr. S. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sanyal, Babu Sachindra Narayan.
Sarker, Babu Nalinaranjan.
Sattar, Mr. Abdool Razak Rajee Abdool.
Sen, Mr. Satish Chandra.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Suhrawardy, Mr. H. S.

NOES.

Ahamad, Maulvi Kasiruddin.
Baksh, Maulvi Kader.
Basu, Mr. Sarat C.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur,
Choudhury, Maulvi Golam Mawla.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. N.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hosain, the Hon'ble Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ehramul.
Ismail, Khan Bahadur Maulvi Muhammad.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. B.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, Rai Bahadur Manmatha Nath.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Ormond, Mr. E. G.
Philip, Mr. J. Y.
Philpot, Mr. M. C. V.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F.
Rasul, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray Choudhuri, Mr. K. C.

Rose, Mr. G. P.
Roy, Mr. Bijoy Prasad Singh.
Sarkar, Rai Sahib Rebati Mohan.
Sattar, Khan Sahib Abdus.
Shah, Mr. Gholam Hossain.
Sinha, the Hon'ble Raja Bahadur Bhupendra Narayan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

Mr. PRESIDENT: Before I announce the result of the division, I should like to repeat my warning to the gentlemen in the galleries that they are prohibited from making any demonstration when the result is given out.

The Ayes being 62 and the Noes 59, the motion was carried.

Adjournment.

The Council was then adjourned till 2-30 p.m., on Wednesday, the 27th February, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 27th February, 1929, at 2-30 p.m.

Present:

The Hon'ble the President (the Hon'ble RAJA MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 72 nominated and elected members.

Obituary reference.

Mr. PRESIDENT: Gentlemen, we have to mourn the sad loss, in the prime of his life, of the late Hon'ble Mr. Justice Hubert Philip Duval, M.A., LL.M. (Cantab.), C.I.E., J.P., (Bar.-at-law), who died in London on the 25th instant. Mr. Duval was a member of the Indian Civil Service and served with conspicuous success in several districts of both old and new Bengal from 1896 onwards. He was for a time Deputy Chairman of the Calcutta Corporation. He was also a member of this Council under the old constitution in 1916, 1918 and 1919 and of the Council under the present constitution in 1921, 1922 and 1923. He was Superintendent and Remembrancer of Legal Affairs and Secretary to the Government of Bengal in the Judicial Department and was for a time in the Government of India, Legislative Department. In 1924 and 1925, Mr. Duval was a member of the Indian Legislative Assembly and was a co-opted member of the Civil Justice Committee. He served on the Bench of the Calcutta High Court in an officiating capacity in 1924 and 1925 and was appointed permanently as a puisne Judge in 1926. He was made a C.I.E. in 1924 in recognition of his valuable services. Owing to failing health Mr. Duval left India early in January, 1928, on leave preparatory to retirement. It was a characteristic of the late Mr. Duval that he associated himself wholeheartedly with the interests of the people of Bengal whose welfare he always endeavoured to promote according to the light that was in him. A man of fine intellect, with a sound knowledge of law, possessing a charming personality, accessible to high and low alike, an ornament to the Indian Civil Service to which he belonged, Bengal is poorer by the loss of an officer of his calibre.

With your permission, gentlemen, I propose to convey the sympathy of the House with the family of the deceased. I now request you, gentlemen, to show your respect to the memory of the deceased gentleman by kindly rising in your places.

(All the members rose in their seats.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the usual action.

Starred Questions

(to which oral answers were given).

Ministerial officers in Chief Secretary's Office.

*53. **Kazi EMDADUL HOQUE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that orders have recently been passed debarring the ministerial officers of the office of the Chief Secretary from applying for any outside posts?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Member be pleased to state—

(*i*) the reasons for such orders; and

(*ii*) the circumstances under which such orders were passed?

(*c*) Will the Hon'ble Member be pleased to state whether it is in the contemplation of the Government to give special prospects to the ministerial officers of the said office?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) No such general orders have been passed, but in two cases recently applications to apply for outside posts have been refused.

(*b*) The applications were refused in the interests of the department.

(*c*) The prospects in the office are known to ministerial officers when they join it. Appointment to outside posts is not among them and Government do not propose to compensate clerks who are not permitted to apply for such posts.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether any such orders were passed in respect of non-ministerial officers?

The Hon'ble Mr. A. N. MOBERLY: I submit, Sir, that this does not arise out of the question or the answer.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member kindly state whether the orders passed in the case of the two particular assistants are intended to act as precedents in future?

The Hon'ble Mr. A. N. MOBERLY: That is a matter of opinion.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether the two assistants have rendered valuable services to the department?

The Hon'ble Mr. A. N. MOBERLY: That also is a matter of opinion.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether the assistants concerned are Upper Division or Lower Division assistants?

The Hon'ble Mr. A. N. MOBERLY: I want fresh notice.

Srijut NAGENDRA NATH SEN: With reference to answer (*c*), will the Hon'ble Member be pleased to state whether it is an offence for a junior assistant to apply for posts of which he had no knowledge at the time he entered service?

The Hon'ble Mr. A. N. MOBERLY: It is not an offence under any special or local law, or under the Penal Code, as far as I am aware.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state in what way the interests of the State would have suffered if permission were given to these assistants to apply for outside posts?

The Hon'ble Mr. A. N. MOBERLY: Considering that these officers have been trained in the department and have acquired some knowledge of the working of the department, it is in the interest of the department that they should go on working there.

Survey and settlement work in Malda.

***54. Babu ROMES CHANDRA BAGCHI:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state the result of aerial survey in the district of Malda?

(*b*) Is it a fact that the attempt has been a failure?

(*c*) How much of the remuneration originally sanctioned has actually been paid to the survey company?

(*d*) If the answer to (*b*) is in the affirmative, are the Government considering the desirability of calling upon the said company to refund the amount actually drawn by it?

(*e*) Will the Hon'ble Member be pleased to state when the survey and settlement work of the district of Malda will actually commence?

MEMBER in charge of DEPARTMENT of REVENUE (the Hon'ble Sir Provash Chunder Mitter): (*a*) The Air Survey Company failed to provide accurate maps within the time allowed and the contract has been cancelled.

(*b*) Yes, hitherto, but some maps prepared by new methods will be tested shortly.

(*c*) Rs. 1,03,400.

(*d*) Yes.

(*e*) Traverse survey has begun, and survey and settlement will begin in October next.

Subdivisional Officer and Sub-Deputy Magistrate of Jangipur.

***55. Babu SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that Babu Charu Chandra Gupta, the Subdivisional Officer of Jangipur, in the district of Murshidabad, prosecuted one Kasem Sheikh under the Motor Vehicles Act?

(*b*) Is it a fact that he eventually transferred the case to the file of Babu Nagendra Nath Mazumdar, a Sub-Deputy Magistrate of the same court?

(*c*) Is it a fact that while the case was under trial, the Subdivisional Officer tried to influence the trying Sub-Deputy Magistrate to punish the said accused and suspend his licence, and that in his attempt to do so, the former wrote a letter to the latter under date 18th April, 1928?

(*d*) Is it a fact that the trying Sub-Deputy Magistrate resented the action of the Subdivisional Officer.

(*e*) Is it a fact that the trying Magistrate observed in his judgment in the said case that the said Subdivisional Officer allowed his *zid* to overstep the calm and peaceful equilibrium of his mind?

(*f*) Is it a fact that soon after the passing of the said judgment, the said Sub-Deputy Magistrate was transferred from Jangipur?

(*g*) Have the Government taken any step in the matter? If not, why not?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) Yes.

(*c*) No. Before the prosecution started, the Subdivisional Officer and the Sub-Deputy Magistrate had had a discussion about the law and rules on the subject, and in consequence of a question addressed by the Sub-Deputy Magistrate to the Subdivisional Officer, a reference was made to the Senior Deputy Magistrate at headquarters who was in charge of the Motor Vehicles Department. The reply came before the prosecution had been sanctioned, and the case had been made over to the Sub-Deputy Magistrate for trial, and the Subdivisional Officer directed the letters to be filed with the record. Later, when dealing with office correspondence, he found the letters had not been filed with the record as ordered by him. He again ordered them to be filed with the record and sent a note to the Sub-Deputy Magistrate drawing his attention to the answers given to the question originally asked by him.

(*d*) and (*e*) In his judgment the Sub-Deputy Magistrate made various uncalled for and unjustifiable comments and criticisms on various officers, including the Subdivisional Officer among which was the remark quoted in (*c*).

(*f*) Yes, but the orders of transfer were passed by the Commissioner for reasons entirely unconnected with this case, of which the Commissioner had no knowledge at the time he passed the orders.

(*g*) No. They decided that no action was necessary.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Member aware that the judgment of the Sub-Deputy Magistrate clearly shows that he was never consulted, nor had he any discussion about this prosecution?

The Hon'ble Mr. A. N. MOBERLY: I do not think that the judgment deals or could deal with private conversations which took place before the prosecution was started.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Member aware that the judgment clearly states that as the Subdivisional Magistrate was not posted to try cases under the Motor Vehicles Act, he possibly consulted the District Magistrate? I have a copy of that judgment with me (shows it to the Hon'ble Member) which also contains the facsimile of the remarks of the Magistrate——

The Hon'ble Mr. A. N. MOBERLY: I take my friend's word for it.

Mr. JOGESH CHANDRA GUPTA: If that is so, will the Hon'ble Member be pleased to make further inquiries whether it was proper —

Mr. PRESIDENT: That is a request for action.

Mr. JOGESH CHANDRA GUPTA: All right, Sir, I will modify it. Will the Hon'ble Member in the light of these facts that have just been brought to his notice kindly make a further inquiry into the matter?

Mr. PRESIDENT: That does not improve matters; it is again a request for action.

Mr. JOGESH CHANDRA GUPTA: Very well, Sir, I will put it another way. Will the Hon'ble Member be pleased to consider the desirability of seeing that there is no interference with subordinate Magistrates by Subdivisional Officers?

The Hon'ble Mr. A. N. MOBERLY: If the suggestion is that this was a case of interference, I am afraid I cannot agree.

Srijut NAGENDRA NATH SEN: With reference to answers (*d*) and (*e*), will the Hon'ble Member be pleased to state whether the expression "uncalled for and unjustifiable comments" is his own, or is the expression of the Appellate Court, with reference to the conduct of the Sub-Deputy Magistrate?

The Hon'ble Mr. A. N. MOBERLY: Certainly they are my own words.

Subdivisional Officer of Jangipur.

***86. Babu SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that Babu Charu Chandra Gupta, Subdivisional Officer of Jangipur, started funds at Jangipur, such as the Agriculture Fund, the Scarcity Fund, etc.?

(*b*) Is it a fact that he realised monies from the public without giving receipt therefor?

(c) Is it a fact that the Commissioner of the Presidency Division and the District Magistrate of Murshidabad held inquiries into the actions of the Subdivisional Officer?

(d) Is it a fact that the Subdivisional Officer could not show to the inquiring officers counterfoils of receipts of monies and vouchers of expenditure?

(e) Is it a fact that a deputation of a few nominated members of local bodies went to the Commissioner with a typed representation, supporting the said Subdivisional Officer?

(f) Is it a fact that the said representation was typed with a typewriter of the Subdivisional Officer's Court?

(g) Is it a fact that the Commissioner questioned the *bona fides* of the said deputation?

(h) Have the Government taken, or do they intend to take, any action in the matter?

The Hon'ble Mr. A. N. MOBERLY: (a) Yes.

(b) The District Magistrate reports that there was no proper system of giving receipts, but that he has ordered that serially numbered receipts should be given in future, and that subscription lists should be published.

(c) Yes.

(d) See (b) above.

(e) The District Magistrate reports that the deputation which waited on the Commissioner was very representative. Two memorials were presented, one of which was typed.

(f) Government have no information on the point.

(g) No.

(h) No.

Grant of commissions to the pleaders and court staff of the Court of Small Causes, Calcutta.

***57. Babu JATINDRA NATH CHAKRABURTTY:** (a) Is the Hon'ble Member in charge of the Judicial Department aware that the commissions, issued by the civil courts outside the Presidency of Bengal, to the Presidency Small Cause Court, Calcutta, are executed by the bench clerks and interpreters of the said Court?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) whether the bench clerks and interpreters received the fees for executing the said commissions;

(*ii*) if so, for how long has this practice been going on; and

(*iii*) what amounts have been received by these clerks and interpreters as fees during the last three years, *i.e.*, 1926, 1927 and 1928?

(*c*) Is the Hon'ble Member aware that under the Resolution of the Home Department, No. 10/1101-1113 of 21st July, 1875, fees for commissions executed by the paid clerks of the courts are to be received not by the clerks but by the Government?

(*d*) If so, is not the practice prevalent in the Calcutta Presidency Small Cause Court in contravention of the said resolution of the Home Department?

(*e*) If so, what steps, if any, do they intend to take in this matter?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Commissions issued from the civil courts outside the Presidency of Bengal are generally executed by the pleaders of this Court. It is seldom and under special circumstances that a commission is executed by bench clerks or interpreters of this Court.

(*b*) (*i*) Yes.

(*ii*) For nearly fifty years commissions used to be given only to the bench clerks and interpreters. The practice has been discontinued since the amendment of Rule 112 of Rules of Practice in May, 1925.

(*iii*) There is no record of fees paid direct to the Commissioners, but the amounts drawn by the bench clerks and interpreters through this court as Commissioner's fees are as follows:—

		Rs.	A.
In 1926	.	14	0
In 1927	...	285	0
In 1928	...	276	8

(*c*) The resolution refers to judicial officers and work done in their official capacity. Commissions are given to clerks and interpreters under the rules made by the Hon'ble High Court under section 9 of the Presidency Small Courts Act, and these rules do not provide that the fees received should be paid to the Government.

(*d*) No.

(*e*) The question does not arise.

Reconstitution of the Rangpur District Board.

*58. **Maulvi KASIRUDDIN AHAMAD:** (a) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether some of the Local Boards of the Rangpur district have recently elected members for the District Board?

(b) When is the District Board likely to be reconstituted?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (a) It is not a fact that some of the Local Boards have recently elected members for the District Board. The position at the beginning of February was this, only the election of members to the Local Boards of Sadar, Kurigram, Nilphamari and Gaibandha subdivisions, excepting one thana, viz., Gobindaganj police-station was over. The election of the Gobindaganj police-station was due to come off on 11th February, 1929.

(b) By the middle of 1929 provided, of course, the progress of the work is not obstructed by any civil proceedings.

Water hyacinth.

*59. **Maharaj Kumar SRIS CHANDRA NANDY:** (a) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state how much has been spent on conferences for eradicating the water hyacinth pest in Bengal?

(b) What sum has been spent on research work on it?

(c) Do the Government propose to do anything further in the matter?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (a) Rs. 1,265. In addition, a sum of Rs. 2,479-7 was spent on the Committee under the Chairmanship of Sir J. C. Bose appointed in pursuance of a Council Resolution.

(b) Rs. 7,000.

(c) It is not contemplated to take any action in the matter at the present moment.

Mr. JOGESH CHANDRA GUPTA: Does the Hon'ble Member repudiate the position taken up by the two previous Ministers that they would welcome a Bill with regard to water hyacinth?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Member aware that the questioner, in pursuance of a request from the Treasury Benches, has already framed and submitted a Bill for dealing with water hyacinth?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes. It is now being considered in the department.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to consider the draft Bill that has been submitted at the earliest opportunity?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes.

2-45 p.m.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member consider the desirability of discussing the Bill without any further loss of time?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have already said that the Bill is now being examined in the department.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state on what object and in what year Rs. 1,265, referred to in answer (*a*), was spent?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The sum was spent on expenses in connection with a Conference held in July, 1927, at Dacca. It represents the travelling allowance of the gentlemen attending the Conference.

Srijut NAGENDRA NATH SEN: Was that in 1927?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes, I have already said that.

Mr. JOGESH CHANDRA GUPTA: Do the Government propose to abide by the decisions arrived at at that Conference?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have already said, Sir, that the Bill is now being examined in the department, and after the examination Government will consider the question.

Mr. JOGESH CHANDRA GUPTA: I am not asking about the Bill. My question was: "Do the Government propose to abide by the decisions arrived at at that Conference, or will they go back on them?"

Mr. PRESIDENT: The Hon'ble Member has replied that the matter is still under the consideration of Government, though he could not make his point quite clear.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether any money was spent in 1928?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice as I have to inquire.

Mr. JOGESH CHANDRA GUPTA: Will the Government consider the desirability of diverting the salary of the Ministers to the problem of eradicating water hyacinth?

Mr. PRESIDENT: I do not allow that question.

Maulvi KADER BAKSH: Will the Hon'ble Member be pleased to state what amount out of this Rs. 7,000, mentioned in answer (*b*), was spent in each Division?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: This amount of Rs. 7,000 was made over to Dr. Brühl for research work.

Unstarred Questions

(answers to which were laid on the table).

System of election in District Boards of Malda and Jalpaiguri.

48. Babu ROMES CHANDRA BAGCHI: (*a*) Is the Hon'ble Member in charge of the Department of Local Self-Government aware that this Council adopted a resolution on the 9th December, 1925, recommending steps to introduce the system of election in those District Boards in which that system has not yet been introduced?

(*b*) Is it a fact that the District Boards of Malda and Jalpaiguri are the only District Boards in the Province which are not constituted by election?

(*c*) Is it a fact that since the resolution was accepted by the Council, Union Boards have been established in the district of Malda?

(*d*) Will the Hon'ble Member be pleased to state—

(*i*) the reason why the District Board of Malda has not as yet been brought on elective basis; and

(*ii*) what further steps have the Government taken after September, 1927, to introduce elective system in the Jalpaiguri District Board?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) Yes, except that three members of the Jalpaiguri District Board are elected by the Alipur Duars Local Board.

(*c*) Yes.

(*d*) (*i*) There are no subdivisions in Malda, and it has not been decided yet in what units of area Local Boards should be established. Government are awaiting proposals from the Commissioner.

(*ii*) The elective system is already partially in force in the Jalpaiguri District Board. Proposals for the establishment of certain Union Boards and a Local Board in a part of the Sadar subdivision of Jalpaiguri district which are necessary preliminaries to the extension of the elective system are under the consideration of Government.

Grant of commissions to pleaders and the bench clerk of the Court of Small Causes, Calcutta.

49. Mr. SATYENDRA CHANDRA GHOSH MAULIK: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing for the year 1927-28—

(*i*) the number of commissions which came up to the Small Cause Court of Calcutta from outside to take down evidence of witnesses and parties;

(*ii*) the number given to the pleaders practising in the said Court;

(*iii*) the number of such commissions executed by the bench clerk of the Chief Judge of Presidency Small Cause Court;

(*iv*) how much fees did he receive for such executions; and

(*v*) how much fees were received by the pleaders of the Small Cause Court of Calcutta?

(*b*) Will the Hon'ble Member be pleased to state whether such commissions are given to the bench clerk in preference to the pleaders? If so, why?

The Hon'ble Mr. A. N. MOBERLY: (*a*) (*i*) 426.

(*ii*) 366.

(*iii*) 34.

(*iv*) Rs. 685-10 from the Court. No account is kept of the fees paid direct to him.

(*v*) Rs. 5,254-4 from the Court. No account is kept of the fees paid direct to the pleaders.

(*b*) Commissions are given to the Chief Interpreter who is also the bench clerk when they are in a vernacular with which no pleader who is willing to execute commissions is familiar or when there are special reasons for doing so.

DEMANDS FOR GRANTS.

45—Superannuation allowances and pensions.

45A—Commutation of pensions financed from ordinary revenue.

60B—Commuted value of pensions not charged to revenue.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,24,000 be granted for expenditure under the heads "45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenue" and "60B—Commuted value of pensions not charged to revenue."

This expenditure is expected to be incurred during the current year. Details have been given in a memorandum which has been circulated to all members of this House. I need only refer to the outstanding points in the memorandum. This excess, this year, falls under two heads, namely, "45—Superannuation allowances and pensions" and "45A—Commutation of pensions financed from ordinary revenue."

It will be seen from the memorandum that we estimated, at the beginning of the year, for a sum of Rs. 42,15,000 under this head. When we examined the 9 months' figures, we found that the actual expenditure during these months amounted to Rs. 36 lakhs. On that

basis, a further expenditure of Rs. 12 lakhs would be anticipated during the next 3 months, that is to say, a gross expenditure of Rs. 47 lakhs is anticipated. Against this, however, we expect certain adjustments amounting to Rs. 3¾ lakhs, and, therefore, the total estimated expenditure for the current year is Rs. 43,30,000, which gives, as will be seen on the back of the memorandum, an expected excess of Rs. 1,15,000.

Then as regards the head "45A—Commutation of pensions financed from ordinary revenue," the charges for this province amount to Rs. 2,30,000, and the charges payable to other provinces in respect of Bengal pensioners, who elect to draw their pensions in those provinces, are also included. These amounts vary from year to year and cannot be accurately estimated. In this matter we have not only taken into account our own estimates, but also the estimates of Accounts Officers of other provinces. In accordance with the latest estimates of Accounts Officers of other provinces, the amount payable to other Governments in lump for Bengal pensioners transferred to those provinces is Rs. 8,62,000, and the amount payable to Bengal by those provinces for their pensioners located here is estimated at Rs. 3,73,000, with the net result that this year's expenditure under this head is estimated at Rs. 7,19,000 as against Rs. 6,38,000 adjusted last year. This increase is partly due to a new arrangement in accounts. In this matter of adjustment of pensions paid in one province to pensioners coming from other provinces, the period has been changed from 1st December—30th November, to the period of the financial year, i.e., 1st April—31st March. That means that this year we shall have to meet expenditure for 16 months instead of 12 months. That accounts for part of the increase, and it also means that we shall have smaller expenditure next year.

Taking these two heads together, we expect an excess of Rs. 1,15,000 under the head "45—Superannuation allowances and pensions" and Rs 3,09,000 under the head "45—Commutation of pensions financed from ordinary revenue," or a total of Rs. 4,24,000.

I now move that this expenditure be sanctioned.

The motion was then put and agreed to.

46—Stationery and Printing.

The Hon'ble Mr. A. MARR: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 15,000 be granted for expenditure under the head "46—Stationery and Printing."

A memorandum has been circulated in this case also, explaining the heads under which this excess expenditure is expected, but it does not give the full details. I now propose to explain to the House

how this figure of Rs. 15,000 has been arrived at. The first item for consideration is the Press Depreciation Fund. Members of this House will remember that a portion of our balances is earmarked as a Press Depreciation Fund, for which we have to set apart a certain sum every year. When the estimates for the present year were framed, we set aside Rs. 1,09,000. We are now told by our Accounts Officers that that sum will have to be raised to Rs. 1,27,000, which means an excess expenditure of Rs. 18,000. I must explain to the House that this is not actual expenditure. This sum of Rs. 1,27,000 will be transferred from General Revenues to the earmarked portion of our balances. This will mean that our earmarked balances will be increased by Rs. 1,27,000 instead of Rs. 1,09,000.

The next item deals with printing work which we expected to have to do for the Government of India, and for which we expected a corresponding recovery in the shape of a deduct entry. The Controller of Printing under the Government of India told us in the beginning of the year that on account of the work expected to be allotted by the Government of India to us, we would recover Rs. 17,000 as a deduct entry. He now tells us that there will be far less printing work than was expected, and he only expects a deduct entry of Rs. 3,000; that is to say, the deduct entry will be less by Rs. 14,000. This is the second item in the account.

The third item is the cost of paper for forms in connection with the transmission of landlords' fees necessitated by the amended Bengal Tenancy Act. That Act comes into force on the 1st April, 1929, and it will be necessary for the Forms Department to get to work at once in order to have sufficient forms ready for the work to begin on that date. The expenditure for these forms is estimated to be Rs. 11,000, and the cost of transmitting them to the different centres is estimated at Rs. 500. This gives a sum of Rs. 11,500.

Now, if these three items are added together, we arrive at an estimated excess expenditure of Rs. 43,500. Against this we shall have savings amounting to Rs. 28,500. This leaves us a net balance of Rs. 15,000, for which I now ask the sanction of the Council.

Mr. D. N. ROY: Sir, having regard to the explanation given by the Hon'ble Member, I do not wish to move the motion standing against my name.

The following motion was not moved:—

"**Mr. D. N. ROY:** That the demand of Rs. 15,000 under the head '46—Stationery and Printing' be reduced by Rs. 14,500."

The motion that a sum of Rs. 15,000 be granted for expenditure under the head "46—Stationery and Printing" was then put and agreed to.

3 p.m.

GOVERNMENT BILL.

The Protection of Muhammadan Pilgrims (Bengal Amendment) Bill, 1929.

MEMBER in charge of HAJ PILGRIMAGE (the Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari): I beg to move for leave to introduce a Bill further to amend the Protection of Muhammadan Pilgrims Act, 1896.

The motion was put and agreed to.

The Secretary then read the title of the Bill.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I beg to move that the said Bill be taken into consideration.

Sir, in moving that this Bill be taken into consideration by the Council I have little to add to what has been said in the Statement of Objects and Reasons. As stated there, the re-opening of the port of Calcutta for pilgrim traffic has not been followed by the use of the port by pilgrims from Bengal, Assam and Bihar to the extent anticipated; in fact this year it has not yet been possible to arrange for berthing a pilgrim ship at Calcutta. Government were informed that muallems or pilgrim guides used their influence to divert pilgrims to Bombay, even preventing them from passing through Calcutta by taking them *via* Naihati, and that the apparent unpopularity of Calcutta as a port of embarkation was largely due to the propaganda carried on by them. Pilgrims from this part of India have thus been deprived of the advantages which they would enjoy by having a port of embarkation near their homes and have had to go to Bombay where, as strangers, ignorant of the language spoken there, they are liable to become the victim of persons who are only too ready to exploit their ignorance and helplessness, and where they experience difficulty in getting suitable accommodation. Government trust that the power which this Bill, if passed, will give them will enable them to secure such a measure of control over muallems that any person will be prevented from acting as a guide who, by unfair and deceitful methods—for example spreading false rumours about cheap fares from Bombay or the unsuitability of ships intended to sail from Calcutta, diverts pilgrims from Calcutta.

I wish to make it clear, however, that Government want to be in a position to control muallems not only in the interests of Calcutta as a port of embarkation, but also in the direct interest of pilgrims from this part of India.

Muallems exercise great influence over these pilgrims and have frequently exercised that influence in a direction opposed to the wishes of Pilgrim Departments in India. It was reported that this was especially noticeable in Bombay in 1927 when the Pilgrim Department there desired the pilgrims for their own good to do anything that did not of itself appeal to them. On the other hand, these muallems frequently fleece their clients and flagrantly abuse the trust placed in them, but it is difficult to bring them within the scope of the criminal law. The Hedjaz authorities have recently tightened up their control over pilgrim guides and the British consular officers there can help by refusing *visas* to those of them against whom complaints have been made by pilgrims and it therefore seems desirable that we in India should also take steps to control the activities of the muallems.

It is proposed that we should do so by providing that no person shall act as a muallem without a licence which will be liable to revocation in the event of the misbehaviour of the licensee. As indicated in the Statement of Objects and Reasons advantage has been taken of the opportunity offered by the presentation of this Bill to propose the cancellation of certain sections of the old Act of 1896, which the Indian Merchant Shipping Act has rendered unnecessary. The proposed section 6A, limiting the amount of commission which may be received by brokers, is on the lines of section 6 (*a*) of the Bombay Act.

I now beg to move that the Bill be taken into consideration by the Council, and I trust that it will meet with the approval of the House.

The motion was put and agreed to.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I beg to move that the Protection of Muhammadan Pilgrims (Bengal Amendment) Bill, 1929, be passed.

The motion was put and agreed to.

Adjournment.

The Council was then adjourned till 2-30 p.m., on Thursday, the 28th February, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 28th February, 1929, at 2-30 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 76 nominated and elected members.

Starred Questions

(to which oral answers were given).

Babu JOGINDRA CHANDRA CHAKRAVARTI: Sir, may I have your permission to ask a question on short notice, of the Hon'ble the Revenue Member?

Mr. PRESIDENT: Mr. Chakravarti, you have my permission to do so, because I have already admitted your question on short notice with the consent of the Hon'ble Member concerned.

Babu JOGINDRA CHANDRA CHAKRAVARTI: My question is as follows:—

***59A.** (*a*) Will the Hon'ble Member for Land Revenue be pleased to state whether any date, and, if so, what date has been appointed by the local Government for the commencement of the Bengal Tenancy (Amendment) Act of 1928?

(*b*) When is the date likely to be published?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Sir Provash Chunder Mitter): (*a*) By section 6 of the Bengal General Clauses Act, 1899, viz: "Where any Bengal Act is not expressed to come into operation on a particular day, then it shall come into operation on the day on which it is first published in the *Calcutta Gazette* after having received the assent of the Governor-General," and the Bengal Tenancy (Amendment) Act, 1928, being published on 21st February, 1929, it came into operation on that date.

(*b*) The question does not arise.

Babu JOGINDRA CHANDRA CHAKRAVARTI: May I draw the attention of the Hon'ble Member to the heading of the Bengal Tenancy Act as given in this book (here the member showed a book) which states that the Act was published on the 22nd February, 1929. If it was published on the 21st February as stated by the Member, how is it that the date given here is 22nd February?

The Hon'ble Sir PROVASH CHUNDER MITTER: Perhaps my friend is referring to a book which was published by the Legislative Department bringing all the amendments up to date. That book is entitled "Act VIII of 1885—The Bengal Tenancy Act of 1885." That is not the amending Act. That is the consolidated Act including amendments. Well, as regards the date of application, I have already informed the House that the date is the 21st February, 1929. The amended Act will be separately published shortly, and in that Act, under the provisions of section 7 of the Bengal General Clauses Act, the date will be mentioned as it is mentioned in the case of the old Act.

Babu JOGINDRA CHANDRA CHAKRAVARTI: My question is, how could the Bengal Tenancy Act, as the Government publication shows, be modified up to the 22nd February, 1929, when it was published and came into operation on the 21st of February, 1929?

The Hon'ble Sir PROVASH CHUNDER MITTER: This Government publication, as I have already informed the House, is not a publication of the amending Act, it is simply a publication for the convenience of the public in which the amending Act has been consolidated.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state if the rules under the new Bengal Tenancy Act have been framed and published?

The Hon'ble Sir PROVASH CHUNDER MITTER: If my friend will refer to the *Calcutta Gazette*, he will find that the draft rules have been framed and published.

Maulvi ABUL KASEM: Draft rules?

The Hon'ble Sir PROVASH CHUNDER MITTER: Under the Bengal Tenancy Act draft rules have got to be published first as the public have a right to object to them; when the time for objection expires, the final rules will be published.

Mr. D. N. ROY: Does not the publication referred to by my friend include the amendments?

The Hon'ble Sir PROVASH CHUNDER MITTER: It does.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state that if the rules have not been finally settled, how can the Act come into operation?

The Hon'ble Sir PROVASH CHUNDER MITTER: The rules are framed under the Act. There is a provision under which rules can be framed, and so they have been framed. They have nothing to do with the operation of the Act itself.

General discussion of the Budget.

Mr. PRESIDENT: I might remind members that 15 minutes will be allotted to each member for general discussion of the Budget.

Maulvi ABDUL KARIM: Mr. President, Sir, the Budget under discussion is, as has often been the case, a tame and stereotyped one. It has hardly any feature that might be described as redeeming or satisfactory in any considerable sense. But for a most unusual windfall in the shape of unexpected probate duty, which fortunately came to the relief of the Hon'ble the Finance Member, he would have to tell on this occasion, also, as he and his predecessors in office have told on similar occasions in the past, a doleful tale of financial deficit. Since, however, winds that cause such welcome falls very rarely blow in this impoverished country, the financial prospects of Bengal may be said to be as gloomy as ever. No administration can function long or efficiently that has to draw continuously on its closing balances, which are not inexhaustible. Unless, as a rule, the normal income can meet the normal expenditure, the administration is bound to collapse sooner or later. Desperate steps that might have to be taken when there will be no balances to fall back upon, might prove disastrous for all time, and will certainly embarrass the future reformed constitution of the autonomous provincial Government.

Sir, it is a matter for sober consideration whether a discussion regarding the Budget, such as generally takes place in this House, is at all worth having. The hon'ble members are no doubt given an opportunity once a year to say what they think of the different administrative problems affecting the interests of the country. But does this produce the much-desired effect? If things have to be said merely for the sake of the saying, they had better be left unsaid. Time and energy spent in this process might, to my mind, be much better utilised in more practical and effective directions. A reference to the proceedings of meetings at which past Budgets were discussed

would show that many hard things were said, different administrative measures were criticised and diverse useful suggestions were made; but hardly anything worth the name was done to give effect to them. If this state of things is to continue, I for one should like to conserve my energy and husband my resources for some more profitable use. In fact, an old man of 66 years like me cannot be expected to have superfluous energy to be spent uselessly.

Unfortunately, the bulk of the available revenue has to be spent for the purpose of carrying on the administration in its minimum essentials on a disproportionately costly scale. It is next to impossible to make adequate provision for the much-desired developments of any of the nation-building departments or to meet the crying and urgent needs of the people. Thousands of people are carried off year after year by preventible or curable diseases; but funds are not available to provide medical help or to improve sanitation in the villages. Cholera breaks out every year when water scarcity prevails in the rural areas; but there is no money to arrange for increased and pure water-supply. The agriculturists, who are the primary producers of the nation's wealth, are half fed and ill clad; but the administration cannot afford them any relief, even while costly Commissions and Committees occasionally absorb the little that might have been scraped or spared for the purpose. Appalling illiteracy and deadening superstitions prevail in the land; but hardly anything can be done for its removal unless the people, whom poverty prevents from educating their children, pay an education cess which is ostensibly beyond their depleted means. Rural industries and the financial stability of the artizans and cultivators are alike being allowed to lapse into irretrievable ruin with fatal reaction on the entire national well-being, merely for lack of a little "returning shower" of generous credit and organised development. In vain do the leaders cry in the wilderness for reasonable and just allotments for removing the very disabilities, deficiencies and disintegration which are trotted out as decisive reasons for debarring us from political progress. The mother of Parliaments, by its own Act of 1911, has enthroned democracy and given the final *Magna Charta* to the masses as against the classes by arbitrarily shutting out the Reformed Upper Chamber from any interference whatever with money Bills and from obstructing even the most intemperate legislation by the Commons beyond a paltry period of two years. But our much-advertised Parliaments of India are repeatedly baulked of control and development of even transferred subjects by an inexorable and all-powerful "Reserved Side" Member for Finance and outwitted or penalised through arbitrary certification by unassailable Governors at the instance or instigation of an infallible, irresponsible, and unresponsive Executive. Thus are our limited powers of "nation building" nullified or circumscribed, while the executive "reserves" a

lion's share of the revenue for the preliminary rudiments of defence or "Law and Order," which after all are mere means to the great end of national development and progress.

This, Sir, is one side of the picture. Looked at from the other side, however, it presents an altogether different view. Coffers said to be empty when the people's most vital demands even are pressed, often mysteriously produce any amount of liberal doles for schemes and enhancements which Government sets its heart upon. For police and other Government buildings, for overseas allowances, revised pensions and proportionate compensations, for creation of highly paid posts, there is hardly ever dearth of money. Such callous indifference to the people's grievances and such flouting of public opinion have been condemned times out of number persistently and forcefully by public leaders and sporadically and timorously by harassed experts and heads of departments, but alike without any avail. All this, I need hardly say, cannot but alienate public feeling, produce discontent and general disaffection which might entail grave consequences for the administration.

If Bengal is to carry on her administration for the good of her people and to develop her resources, her financial stringency has to be removed by augmenting her income. This can be done in two ways: by external adjustment and by internal economy. The Meston Settlement, which has reduced the richest portion of the British Indian Empire to the status of a poor province, has to be unsettled. In fact, it has been hanging all this time as a strangling noose round the finances of Bengal, and her piteous cries have not up till now produced any appreciable response. This province gets little out of the income of her various industrial or commercial activities. The injustice done to her by taking away the whole of the export duty on jute, which is grown only by her own people and which amounts to crores, has to be righted. Besides, Bengal can never agree to surrender the entire income-tax revenue raised within the province, and then live upon financial charity. It is extremely to be regretted that the Central Government, in order to carry out her extravagant schemes, should unjustly squeeze money out of the provinces by depriving them of their legitimate sources of revenue. There can be no end to the avarice and exactions of a centralised administration that has sunk over thirteen crores in brick and mortar at Delhi, the grave of many an empire and emperor, and which appropriates annually over sixty crores—more than one-third of her total revenue—for the maintenance of the Army, while the provincial executives loyally follow suit by arrogating approximately one-third of their revenues for their favourite child, the Police.

As for internal economies, the Government of Bengal appointed a "Retrenchment Committee" in the year 1922 to inquire into the

finances of the province and to find out what possible reductions could be made. The Committee examined a large number of witnesses, came to certain definite conclusions, and made several specific recommendations. But all these 6 years the Government of Bengal seems to have sat tight over the Report, and hardly anything has been done to give effect to the recommendations of the Committee. The Hon'ble Members of the Executive Council are there in their fullest strength, the Divisional Commissioners are still serving as post offices between the District Officers and the Government, and the Board of Revenue is functioning as merrily as ever. I wonder why the Retrenchment Committee was at all appointed if its recommendations were to have been thus ignored. The Reform Scheme has made the administration, as I observed in my last Budget speech, too top heavy to run smoothly. The Government would do well to look into this matter without any further delay.

I am afraid, Sir, the time at my disposal would not permit me to refer at any length to the different subjects dealt with in the Budget. I hope, however, to discuss some of them by proposing token cuts in the demands regarding them.

Babu AKHIL CHANDRA DATTA: Mr. President, Sir, to-day has been fixed for general discussion of the Budget. In ordinary course this should have been a very important meeting, but a thin House—the thin attendance of members -proves conclusively that the members of this House have very little faith in a general discussion of the Budget. They are convinced that this is a waste of time and energy, which only can explain why the members are so indifferent to such an important matter.

Sir, it has been said by my friend Maulvi Abdul Karim that ours is a cry in the wilderness; this is why members are tired of crying any more and do not care to have this useless farce any longer. If, however, I were to discuss the Budget, I would point out at the outset how disproportionate is the distribution of money over the several departments.

We find, Sir, that the total income of the province is between 11 to 12 crores of rupees, and we are told that the total expenditure proposed for the next year is about a crore more than the income. Supposing this province to be constituted like a joint family of which the Hon'ble the Finance Member is the *Karta*, then if he had produced a budget like this—income Rs. 11 crores and expenditure Rs. 12 crores—what would his wards have thought of him?

We find that out of a total income of about Rs. 11 crores the Police Department alone swallows 2 crores 12 lakhs and 74 thousand rupees,

i.e., between 1/5th and 1/6th of the total income. I do not know if there is another instance like this in the history of the world. Then what is most interesting is that if you turn from Police and General Administration to those departments which we call nation-building departments, you will find that the provision becomes smaller and smaller, till at last when we reach the most important department of Industries—I mean important from the point of view of the people—you will find the amount reduced to vanishing point.

We find that General Administration takes away Rs. 1 crore and 36 lakhs, then comes Civil Works with Rs. 1 crore and 25 lakhs, but when we come to the head "Medical" we find about Rs. 58 lakhs. On that very important department, viz., Public Health, we find the figure reduced to Rs. 38 lakhs, and then again we have Rs. 26 lakhs only under the head "Agriculture." India is essentially an agricultural country, and we have had the Royal Commission to advise us how to improve the agricultural prospects of the country. But when it comes to making adequate provision for the purpose, we have a sum of only Rs. 26 lakhs allotted to us. Coming next to another important item—Industries—we find a provision of Rs. 13 lakhs only. This is how the funds have been distributed to the different departments.

Let us now examine some other items. We find a provision of about Rs. 25 lakhs for "Stationery and Printing" which is nearly double the amount provided for the improvement and development of Industries. Shortly, this is the story told by this Budget.

If we refer to the speech of the Hon'ble the Finance Member, we find that prominence has been given to certain matters. For instance, we have been told what has been done in the domain of Education. We have been told that it is proposed to spend an extra Rs. 4½ lakhs next year on Education. But I may tell the House that out of this Rs. 4½ lakhs Rs. 3½ lakhs have been provided for the construction of the Moslem Hall of the University of Dacca. Sir, I have no quarrel with the people who want this Moslem Hall for the Dacca University, they are certainly entitled to have such a Hall, but when out of Rs. 4½ lakhs, Rs. 3½ lakhs goes to "bricks and mortar" it can hardly be justified. What are the different items provided for under the head "Education?" We are told that Rs. 10,000 have been provided for the extra staff required in certain Government colleges for complying with University Regulations regarding the attendance of college students at lectures in vernaculars. I should like to know, Sir, why this paltry sum of Rs. 10,000 is given such prominence, while in other departments—Reserved Departments—thousands and thousands are hidden away, unnoticed and unmentioned, under the débris of the huge Budget. Then, we are told that a provision of Rs. 25,000 has been made for grants-in-aid to non-Government schools for the promotion of physical culture. In fact, this is the only item that

appears in the grant for Education which is worth mentioning, although it is extremely inadequate.

Now, it is very remarkable, that the Hon'ble the Finance Member has not a word to say in his Budget speech on the question of primary education. We are not told that one single additional *cowrie* has been provided in the Budget for primary education. Of course, we have got a Bill for primary education before us. While preparing the Budget we forget that there is such a thing as primary education to be provided for.

Let us now examine the Police budget. We find that the provision for the next year is more than the current year's revised estimates by Rs. 16 lakhs. Some of the items are most interesting. We find that on page 106 of the Financial Statement there is a provision for the construction of quarters for married officers in the compound of the Lalbazar Police Office, Calcutta. The amount provided in next year's Budget is Rs. 1,55,000. Then we find another provision for the construction of quarters for married sergeants at Kapalitola, Calcutta The amount provided is Rs. 65,000.

3 p.m.

Of course, I do not grudge all these comforts to these married people in the Lalbazar Police compound and the Kapalitola sergeants, but what is really painful to think is that there is no provision made for a single additional primary school in the whole province, while you are making all these princely arrangements for the comfort of the married people of the Lalbazar Police and the Kapalitola Police. It just occurs to me if the Hon'ble the Finance Member was the head of a family with this income of 11 crores of rupees, and if he made no provision for the education of the children of the family, and if at the same time he had provided for palatial buildings for the married couples in the staff of that estate, I do not know what would have been the position then. I am afraid it would have been declared a breach of trust. They are the trustees of the people, but this is how that trust is being discharged. There is also another item in the Police budget—construction of buildings in the police lines at Bogra at Rs. 1,10,000. Now, Sir, this is how the matter stands. In this connection may I draw the attention of the Hon'ble Member to the grievances of the beggars of the city of Calcutta put forward by Dr. K. S. Ray of this House? He has told us all the history about the position of the beggars in this city. He said that there is not a single beggars' infirmary for Indians in this city, although there are some asylums or alms houses for Europeans receiving aid from Government in some shape or other. There is not a single

institution for Indian beggars, and we are told that when the Government was approached for some recurring grant for the institute for beggars founded by the Ayurbignan Parisad, Government refused to grant it. Government itself did not care to found such an institution but when such an institution was founded by other people and when a contribution had been asked for, even that had been refused. The other day Government was pleased to accept a resolution in this House asking for a certain capital grant for the Parisad. That has also been practically nullified by an impossible condition being imposed upon, namely, that a large amount must be contributed by the non-officials, in addition to the grant by the Corporation. As I have said if you can afford to give comforts to the police officers, married or unmarried, give them by all means, but what is most striking is that when you cannot make any provision for the beggars for whom there is no hearth or home under the canopy of heaven, you are making provision for the comforts of the married couples in the Lalbazar compound.

Coming to the very important department, viz., Industries, we find that only 13 lakhs of rupees have been provided for this department. Now what are the different items?

(At this stage the member having reached the time-limit was allowed two minutes to conclude his speech.)

I want to draw the attention of the Hon'ble Member to one particular item, namely, to the provision made in the Budget for the appointment of a few more auditors and two additional inspectors of co-operative societies. We know that as a matter of fact audit fee is levied by Government at a certain rate, the rate being one auditor for each 100 societies. But we are told that although the audit fees are realised and deposited into the Government Treasury, yet the sanctioned number of auditors are not appointed with the result that the audit business is carried on very unsatisfactorily. It has been disclosed in answer to a question put some time ago that over 3 or 4 lakhs of rupees have accumulated in the hands of Government and still the requisite number of auditors have not been appointed. This certainly appears to me to be a misappropriation of money. It is a breach of trust, not only a moral breach of trust but almost a criminal breach of trust—taking money for a particular purpose and not to utilise it for that particular purpose. It has now been recognised by the Government that the amount of supervision is inadequate, but still the actual provision made is for only 14 auditors and 2 additional inspectors, although we require a very large number of auditors and inspectors.

Sir, if the Budget tells us any story at all, it tells us this that our rulers are absolutely indifferent to the best interests of the people. In framing the Budget they cared more for the interests of the other

people than the people of the country. This is the charge I have brought against them, and I wonder what is the real feeling of our rulers in the heart of their hearts. Do they really feel, do they really realise that all this money is not spent in the interests of the people of the country but makes its way into the pockets of some other people?

Srijut TARAKNATH MUKERJEA: Sir, this is the last Budget of the third Reformed Council. I must frankly admit that a Budget which is so negligent to make proper and adequate provisions for the development of any of the nation-building departments and thus allows for no progress cannot but be an extremely disappointing document.

But I must congratulate the Government of Bengal, and particularly the Hon'ble the Finance Member, for their unexpected windfall of Rs. 52 lakhs due to probate duty on a rich estate.

It is this unexpected windfall that has converted a deficit of Rs. 18 lakhs in the Budget for the coming year into a surplus of Rs. 54 lakhs and so the Bengal Government after a very close, serious and most careful consideration has finally at last decided to place half a crore of rupees not at the disposal of the transferred nation-building departments but most wisely with the Government of India on fixed deposits.

The most noticeable facts in the Budget are that the ordinary revenue falls short of the expenditure, thus leaving a deficit which is met only by drawing on the balances. In the current year the closing balance is expected to be Rs. 2,53,40,000 and that is reduced to Rs. 1,64,65,000 to meet the deficit for 1929-30.

This is no doubt a very bad symptom because the balance cannot be so used indefinitely as it includes Rs. 12 lakhs of the Famine Relief Fund and Rs. 26 lakhs which has to be earmarked for specific projects. The next thing which attracts our notice is the time-honoured solicitude for the favourite nation-killing limb of the Government—the Police. The expenditure under this head, which is the perennial raid on the exchequer, is regularly and uniformly on the increase year after year. For example, it was Rs. 179 lakhs in 1925-26 and for 1929-30 it has been raised to Rs. 213 lakhs. The charges for general administration is also greater by Rs. 14½ lakhs than the revised estimate for 1928-29. The Hon'ble the Finance Member in his Budget speech has declared himself as "a fair and equitable distributor." But he certainly owes an explanation as to why he asks the province to incur an additional liability and to show us by reference to figures how he has distributed it to the two halves of the Government.

Sir, the great bogey of provincial contribution having ceased to act as a nightmare the disturbed equilibrium of the Hon'ble Finance Member's temperament has been restored, and as such it was expected that he will be able to devise ways and means for the general improvement and amelioration of Bengal and its people.

But the Hon'ble Finance Member in his exceedingly well written and beautifully languaged speech which is a masterpiece of illusion and full of financial jugglery, has only tried to delude us. If language is the vehicle of concealing the thought of men then I must admit that the Budget speech is certainly a nice production for concealing the real policy of Government.

In the whole Budget one only searches in vain for any change in the angle of vision, any genuine attempt to cheapen the costly form of the present administration or any honest and true effort to tackle the serious problems of unemployment, malaria, water scarcity and education. By a close and careful scanning of the puzzling figures of the Budget, we do not find even an indication of a generous response to any of the insistent numerous public demands. To a dying race which is progressing rapidly and unmistakably towards destruction the question of self-preservation is now the principal question which awaits our solution.

To every lover of the country surely the first and the foremost thought must be as to how his country can grow and develop and to take its own place amongst the civilised nations of the world. But while other nations are busy in devising means for further growth and development, we in Bengal are faced with the serious problem as to how are we to live.

The Bengal Health Report tells us that there are positive signs of steady increase in mortality in Bengal from various preventible diseases.

With so many crying needs of the province, with illiteracy reigning supreme, with malaria and kala-azar creating ravages, with waterways and channels dried or silted up, and acute distress felt in the rural areas for good drinking water, with pressing schemes of real improvements in all directions not materialising for want of funds, it is certainly a very bad policy to lock up so much public money even if it be in fixed deposit with the Government of India fetching interest.

Of course the Hon'ble Finance Member deserves the deep gratitude and respectful thanks of the whole nation already groaning under a heavy burden of taxation for not proposing any fresh addition to the burden. We all know, Sir, as was once declared in this House by one Indian Member of the Executive Council, that "the Government is not

a charitable institution." But, Sir, it is admitted on all hands that the political situation in the country is no doubt very serious and grave and that constructive statesmanship demands that at this critical moment the Government should show and practically demonstrate more anxiety to placate the sentiments of the people.

In order to ameliorate the condition of the people the angle of vision should be changed before a new era has dawned.

Sir, let me again say that the present discontent in the country, apart from the political sense, which is the legitimate outcome of our contact with the western institutions, is to a very great extent due to the poverty of the middle classes which has reached such a gigantic proportion as cannot but prove a terrible evil and a real source of danger to the State.

With refined notions of living endangered by contact with western civilisation, but with no money to invest in trade, commerce or industry the people of the middle classes find themselves absolutely destitute of even the bare necessities of life.

If this result in stray cases of fanatical crimes, then it should be the duty of the State to treat it more on a humanitarian point than on mere political grounds.

Sir, ours is an agricultural country and the agriculturists who are really the backbone of the country cannot be contented unless some material improvements are done to them. I must frankly say that these 9 years of this reformed régime have not in any way been able to ameliorate the condition of the country. Blame as much one can to the lack of funds, but there can also be no denying of the lack of energy, lack of sympathy and lack of initiative in those who pose themselves as the custodians of the public funds.

But, Sir, the machinery of our Government has become too inelastic and too rigid to be able to move with the needs of the hour. Impervious to public demand the Government is going on along its own narrow groove and the helpless cries and sighs of dying millions have no effect upon it. Bengal is in need of an administration which can rise above all prejudices and preconceptions and which can have the courage of going deep into the root of all our sufferings and which can boldly take such means as may successfully combat the alarming increase of sickness and poverty. Bengal and the whole nation will go on raising her voice of protest so long as this policy of providing for the luxuries of our administrators first and then distributing the miserable doles for the necessities of the people will be pursued.

The Hon'ble the Finance Member complains of the resources being limited when the question is one affecting the lives of the people,

but no such complaint is ever heard when he increases the provisions even for the personal comfort of the administrators—from His Excellency down to a Police Sergeant.

Sir, the nation wants to live and so we will do our utmost to get this policy changed, as it is bound to be changed, sooner or later and perhaps sooner than later.

So, Sir, a careful perusal of the Budget does not bring in one's mind much of satisfaction and hopefulness and I am sure even to those whose ambition it was to work out the diarchy successfully with continued progress, it is gradually drawing despair.

In short, I find that the Budget, as presented by the Hon'ble the Finance Member, is a nice amalgam of mathematical calculations, bureaucratic tact and hypnotic hoax.

I do not propose to waste the time of the House by describing in detail the well-known fact that the two favourite departments, namely, the Police and the General Administration, are still swallowing up a disproportionately large portion of the revenue.

I will not like to dilate on the enormous difference in educational expenditure per head between a European and an Indian boy, I do not like to speak at length on the fact that between the Governor with his establishments, etc., and his Executive Councillors and their entourage it costs the province over Rs. 12 lakhs which is almost equal to the amount which a wealthy country like Great Britain pays to maintain His Majesty the King in State.

I will not also discuss that a very large percentage of the money allotted under the heads "Medical" or "Public Health" is eaten up by bricks and mortar, salaries and allowances of the Imperial Service officers in those departments.

3-15 p.m.

I should only request the House to seriously consider whether a magnificent sum of Rs. 2,00,000 is sufficient for the extensive works for eradicating malaria or Rs. 50,000 for removing kala-azar from the province.

I will leave to this House to consider what sum has been budgeted for the improvement of rural water-supply.

Sir, the Hooghly District Board, with its very limited resources, recently spent over 1¼ lakh of rupees for rural water-supply by successfully sinking tube-wells in different villages.

Of course, this has to a very great extent removed the acute distress of drinking water scarcity and has also improved the sanitary condition of the people of those villages, but it has done so in only a few villages and yet about 10 lakhs of rupees are necessary to supply

all the villages with tube-wells. It can be well imagined how far the Government sincerely wants to do with such a small amount for the rural water-supply problem of the whole province.

I need not remind the House of the great disproportion in the scales of pay drawn by the heads of the departments and poorly paid clerks under them—a disproportion of which there is perhaps no parallel in any other civilised country.

Sir, ours is an agricultural country and here the nation lives in the villages. The Budget conclusively proves that the Government is not at all sincerely and seriously anxious to make the life of the people in villages worth living for—from physical, medical, economical, educational and sanitary points of view. The real and fundamental policy of the Government, its aims and objects in its true light, its concern for the public welfare—all have found a clear and true expression in the figures of the Budget.

But the Hon'ble the Finance Member will certainly find the whole of Bengal in complete agreement with him when he demands the readjustment of the Meston Award on a more equitable basis. The duty on jute is an old sore and Bengal can never be a willing party to an unfair surrender of its entire income-tax raised in the province.

Now speaking about Irrigation, including drainage, I think, schemes should have been prepared in consultation with District and Local Boards to take up the most urgent cases in each district and thus malaria is checked at least to some extent.

However much the Government may spend on quinine and the people cry for anti-malarial operations the primary cause of malaria no doubt is the water-logged condition of the villages with no proper drainage. This is a part of the Public Health problem and contributions should be made to each district suitable to its needs.

Speaking about the Jails, the first thing which at once rises to one's mind is that as to how, with a few noble exceptions, most of the jail superintendents and warders often most brutally ill-treat the prisoners. I propose to deal with this matter at the time of voting on grants. Here I only like to suggest for the sake of health of the prisoners that they should all be supplied with mosquito curtains.

I understand that in this Presidency there are about 12,000 prisoners and I think a mosquito curtain will cost about Re. 1-8 so the total cost of supplying mosquito curtains to all the prisoners in all the jails will cost about Rs. 18,000. There cannot be the least doubt that mosquito curtains are really a necessity for the prisoners and the cost for supplying mosquito curtains to all the prisoners being only Rs. 18,000 I think, Sir, the Government ought to provide this small amount.

As regards the repressive policy of the Government I would only sound a note of warning that History has proved that repression has never proved successful in removing, far less in eradicating, the spirit of discontent amongst the people in any part of the world.

As regards the administration of justice I should only like to add that the time is already over-due when the scheme of the separation of judicial and executive functions should be given effect to at once.

I take this opportunity to place before the House the views of my constituency about the scheme of primary education. Our best congratulations are due to our late Hon'ble Minister in charge of Education for his earnest efforts to achieve his noble mission of giving to the nation universal primary education. But, Sir, his admiring countrymen are yet to learn many things. Not having yet the benefit of universal education they are strongly and firmly of opinion that this important and so long neglected question of primary education should be solved not by fresh taxation as the noble Minister proposed in his Bill, but the necessary funds ought to be found by retrenchments in pampered departments. The people are poor, disease stricken and are already heavily taxed in proportion to their income and they positively refuse to pay any further taxation till serious and effective steps are taken for retrenchments in a top-heavy administration.

Bengal certainly wants universal primary education, but certainly not at the cost of higher education, or under the penalty of cultural starvation or under the penalty of another new and additional taxation from the overburdened, half-fed and ill-clad poor raiyats.

It is certainly a charge to the State and so it is a primary duty of the Government to make adequate provisions both for University and primary education.

I also wish to plead for the much neglected religious institutions. It is a matter of sincere regret that for want of adequate grants to the Sanskrit tôls which are now the only repository of the ancient lore of the Hindus and in which by tradition and convention not only no tuition fees are charged but where also the pupils hailing from distant places are fed free of charge by their gurus, are now more moribund than alive. I appeal to the Finance Member and also the Education Department that at a time when the worth of this ancient lore is gradually being recognised in all the civilised world, it is not only in the interest of the Hindus but also of future civilisation of the world that these gurus who have no other sources of income should be vouchsafed at least a living income in the form of suitable grants.

Now speaking about my district—the district of Hooghly which has the reputation of heading the list of places notorious for an unhealthy climate, particularly malaria and kala-azar. In illiteracy and poverty my district has few parallels in Bengal and to crown all heavy floods of Damodar, particularly in Arambagh subdivision and great scarcity of drinking water in most places, have told much upon its inhabitants. In the matter of industries we read in authentic records that we had quite a lot of them in the early years of British rule but they have now become things of the past history. Villages which were once full of men and women who had plenty of food to eat and water to drink and who used to enjoy health and prosperity are now almost depopulated, full of jungles and marshes converted into happy playground of wild animals and hotbeds of innumerable preventible diseases.

Sir, it is unfortunate that no special provision has yet been made for the re-excavation of the river Saraswati, which is one of the main outlets of water in the district, thus leaving thousands of acres of lands totally under water for over four months during the year, and as the result of this not only the poor cultivators are totally deprived of any crop, but it has also rendered the entire locality very unhealthy.

Then no provision has been made for the flood relief in that poor unfortunate and malaria-stricken subdivision Arambagh.

(Here the member having reached his time-limit had to resume his seat.)

Babu JOGINDRA CHANDRA CHAKRAVARTI: This being the last Budget session under the Reformed Council, I have persuaded myself to make my humble contributions to the debate on the Budget this year although I know that the Budget discussion under the present constitution is entirely of the nature of a ceremonial function. The most lamentable feature of our Budget is that the responsibility of the allocation of funds for particular purposes lies entirely with the Government, and that the members of this House are made to feel during every Budget session more and more convincingly that however much they may criticise the policy underlying the Budget, their criticisms will not move the adamantine hearts of the custodians of the public purse, whose unwillingness to respond to the popular wishes does by no means affect their pay or position.

Sir, the full term of nine years under the constitution of 1919 is about to come to an end, and it is perhaps only natural that we should feel inclined to look back in order to discover as to what progress the country has made generally under the Reformed constitution and what substantial advance has been made towards the progressive realisation of self-government. Before discussing these topics, however, I propose to deal very shortly with the speech delivered

by the Hon'ble Mr. Marr, the Member for Finance, and the Budget he has presented to us. In the speech the Hon'ble Member has given us no indication as to what substantial progress, however small, the Government proposes to accomplish in the coming year either in education or in public health or in the development of industries, the three most important factors which represent the growth and development of a country and its people. The speech does not indicate what substantial measures are going to be adopted by the Government in the near future for the prevention of famine and flood or for the eradication or prevention of malaria and kala-azar, small-pox and cholera and other preventible diseases which every civilised government in the world makes its primary concern to deal with whenever any such disease breaks out. Our Hon'ble friend gives us some figures and offers explanations and apologies which hardly bring any comfort to those who have grown tired of the usual explanations of urgent needs and apologies of short funds. Sir, the Hon'ble Member tells us that our normal annual expenditure is in excess of our normal annual revenue. This statement itself shows what our financial position really is. He has made many apologies for not being able to provide for more than Rs. 2 lakhs by way of recurring expenditure for some schemes which have been in the contemplation of the Government for some time. He reminds us that many of the larger and important schemes which involve capital expenditure necessitate also considerable recurring expenditure, and therefore have to be considered as outside the present financial capacity of the province. He, however, provides a very large amount of about Rs. 16 lakhs of recurring expenditure for the increased pay of sergeants and constables and head constables with a short remark that this sum is required to meet the full year's cost of the revised pay of the subordinate ranks of the Bengal and Calcutta police. It is still fresh in the recollections of the members of the House that when a supplementary demand to meet this extra cost was brought forward by the Hon'ble Mr. Prentice on the 2nd of August last, the demand was thrown out by the Council by a majority of nine votes, most of the elected members having voted solidly against the motion. The demand, however, was restored under the special powers of certification, and all schemes for the benefit of the poor tax-payer have to be postponed in order to enable the Hon'ble Finance Member to provide for the payment of increment of pay of the subordinate ranks of the police, in spite of the combined protest of the people's representatives. Sir, the maxim that "we must cut our coat according to our cloth" seems to be applied by our Government only when funds are needed for saving the lives of the tax-payers, but is entirely forgotten when provisions have to be made for the luxury and comfort of the pet child of the Bureaucracy—the police. When we compare the figures on this head from 1925-26 onwards, we find that

the increase in expenditure on police is going up in leaps and bounds every year. In 1925-26, the actual expenditure on police was Rs. 1,79,45,000. In 1926-27, it was Rs. 1,87,42,000. In 1927-28, it was Rs. 1,85,35,000 and in 1928-29, in the revised estimate, it was Rs. 1,96,57,000. In 1929-30, it comes up to Rs. 2,12,74,000. In other words, in four years, from 1925-26 to 1929-30, the increase on this head is by Rs. 33 lakhs 29 thousand. In the coming year more than 1/5th of the total revenue will be appropriated by the police department. To my mind, Sir, this is the most remarkable feature of the present Budget, more especially when we remember that the expenditure exceeds the anticipated revenue by about 88¾ lakhs of rupees. The Hon'ble Member proposes to meet this extra expenditure by drawing upon our balances for the current year, and this has been made possible because we had, in the words of the Hon'ble Member, a windfall of Rs. 52 lakhs in revenue which is not likely to recur. Sir, I do not presume to be an expert in finance, but speaking as a layman and an ordinary man of the world, I venture to submit that it is fundamentally wrong in principle to increase expenditure in the hope of drawing largely upon the balances to meet the deficit. You cannot have windfalls every year, and you will soon find that your balances are completely swept away if you go on at this rate. Unless, therefore, there is a serious endeavour to reduce the expenditure on important heads, the prospects of our finances are really very gloomy.

From the point of view of the ordinary tax-payer, the Budget presented by the Hon'ble Member is most disappointing. He admits that we have no prospect of expanding our revenue, as all possible avenues of increasing our receipts have been already explored. He tells us that we can make no sustained progress until we have larger and expanding resources. He tells us that we are not in a position to borrow for new schemes when we do not possess ordinary revenues sufficient to meet ordinary expenditure. In spite of all this, however, he is constantly increasing our burdens for better pay and prospects of the myrmidons of law and order against the protest of the members of this House. I feel sure that the whole country will raise a voice of united protest against a policy like this.

Sir, I do not forget that the Hon'ble Member has provided for 30 lakhs of rupees to be distributed in equal shares to the Reserved and Transferred departments. This however is not a recurring expenditure nor is it intended to make any substantial advance in any direction, except perhaps the construction of a few buildings here and there at a cost of Rs. 11 lakhs. Our Hon'ble friend anticipated how the Budget for 1929-30 would be received by us, and with a view to offer some consolation to us in our distress, he has ended his speech by reminding us that he and his colleagues have put forward the case

of Bengal's financial position as strongly as they could before the Statutory Commission. Sir, this indeed is a very poor consolation to us. The permanent remission of Rs. 63 lakhs which was Bengal's contribution to the Central Government has brought us no relief. If the Financial Settlement is revised, any extra amount that may be available to the Government will be utilised in the same manner as at present, and there will be no want of apologies for not being able to make provisions for the development of the resources of the country. Sir, it is not really want of funds, but want of a policy of sympathy and good-will for the people that is really responsible for the miseries and misfortunes from which we suffer. What is essentially necessary, therefore, is a radical change in the mentality of those in power without which no improvement in the finances will bring about any improvement in the condition of the poor tax-payer.

Sir, if we look back to-day to take stock of our achievements during the last nine years of our existence under the Reformed constitution, what do we find? The cost of carrying on the Government has increased very heavily while the health and happiness of the people have also suffered very heavily as the statistics regarding diseases and mortality will show. When Sir Surendra Nath Banerjea of revered memory accepted the Ministry in the first year of the Reformed Council, he assured his countrymen that he would organise measures to eradicate malaria from Bengal, and he hoped that he would be able to accomplish this object within a few years. His ambition, however, was not fulfilled. May we ask to-day whether the progress of malaria and kala-azar has been retarded since the inauguration of the Reforms. It is only about a year back that the Hon'ble Sir P. C. Mitter, then the Minister for Local Self-Government, inaugurated a scheme for the supply of pure drinking water to the villagers of Bengal. May we ask to-day what has been the fate of that scheme? It was Sir Provash Chunder Mitter again who on several occasions on the floor of this House, not as a member of the Government but as an elected member, bitterly criticised the educational policy of the Government and advocated the cause of the niggardly paid school teachers, and confessed that he could not bring about educational reforms during the first three years of his Ministership because necessary funds were not allocated for education. May we ask to-day, Sir, whether the educational policy has been changed and the lot of the poor school masters has been improved? May I ask, Sir, whether it is not a fact that with the progressive realisation of increased pay, allowances and pensions and other advantages for those in power, the problem of "how to live" is becoming more and more acute to the average man in the country.

Sir, we who belong to the Congress have been accused of trying to break the constitution. It has been repeatedly said that our activities are destructive, and that we can offer nothing constructive before

the Government or the country. I repudiate this charge. If we have tried to destroy anything, it was entirely with the object of constructing something better, and in this connection may I ask what steps the Government took to give effect to the scheme suggested by the late Deshbandhu Das for the improvement of public health? I cannot conclude without a reference to the activities of the Congress and the programme laid down by the last session of the Congress at Calcutta. The Congress has shown that if it wanted to break the constitution of 1919, it was with the object of having a better constitution shaped by the people and their representatives. The Congress has adopted the constitution for India, and it will be now for the Government to consider as to whether it will accept or reject it. Sir, it is impossible for any one to frame a Budget which can satisfy the people so long as the present constitution lasts. Fortunately for us diarchy in Bengal has been buried again, and let us hope that no further attempts will be made to revive it. Let us also hope that the money now available on this head will be utilised for such works as will really benefit the people. Sir, the time at the disposal of the members being very short, it is not possible to enter into any detailed examination of the Budget, and I submit these general remarks for what they are worth.

3-40 p.m.

Babu JATINDRA NATH CHAKRABURTTY: Mr. President, Sir, "no one realises more than I do that this is a very unsatisfactory Budget which does not do justice to any department of Government and specially to the Transferred departments." These were the words with which the Hon'ble Mr. Marr presented the Budget for 1928-29 before this House. And the situation in this respect is not a whit better than in the last year.

Now if the estimate of income and expenditure for the coming financial year is not satisfactory from the standpoint of the Government itself, it is extremely disappointing from the point of view of the public. It shows most clearly and unmistakably that whatever might be the change in the personnel of the Government, whoever might be the Ministers or the Finance Members, the people of Bengal have very little to expect from them for the amelioration of their sad lot. The Bengal Government cannot escape responsibility for the disgraceful neglect of matters pertaining to the true interest of the country as is disclosed in their Budget estimate year after year.

Have the Government endeavoured to make the best of a bad bargain while settling their financial programme? They know that the revenue of the province has only a very limited possibility of expansion. Therefore, if works conducive to the solid benefit of the country are to be undertaken, this can be done only by a judicious husbanding of

all resources, *i.e.*, by cutting down the expenditure of the top-heavy administration and by following a policy of trust and good-will towards the Indian people. Have they ever done so? Does the Budget estimate which the Hon'ble Mr. Marr has had the pleasure of presenting before this House this year show that this has been done? The outstanding feature of the present Budget is that whereas the estimated revenue stands at the figure of Rs. 11,69,48,000, the estimated expenditure is put at Rs. 12,58,23,000, having a deficit of Rs. 88¾ lakhs.

Coming to the detailed consideration of the Budget, we find the same old tale repeated. The police as usual has swallowed the lion's share of the revenue. Even with the present financial difficulties, Mr. Marr has not forgotten to provide an increase of Rs. 16 lakhs for the improvement of this machinery of law and order. But what has been done for education? The Budget shows that an increased expenditure of about Rs. 4½ lakhs has been provided for under this head. And how did the late educational Minister contemplate to spend the amount? Well, of this increase, most of which is of a non-recurring character, no less than Rs. 2½ lakhs is meant for the Dacca University which is fortunately the recipient of favour as usual for the construction of the Dacca Moslem Hall. Primary education remains a neglected part of the educational scheme. The provision for secondary education also falls. Except for education the provisions for other departments are as scanty as they have always been. There is a provision for an increase of about 2¾ lakhs of rupees for the expansion of the rural public health organisations of the province. The Budget contains practically little for the improvement of rural water-supply. The Calcutta University has been deprived of its rightful share of the provincial money. The Calcutta University in spite of all its glory and achievement could receive but Rs. 45,000 less than what it has obtained under the current year's Budget! And ever anxious for the welfare of the dumb teeming millions of the province, Mr. Marr and the brotherhood to which he belongs have nothing to give in the shape of larger facilities for their education. It is surely scandalous that when the premier university of Bengal has been still lying on an unstable financial foundation, and there are so many crying needs of primary and secondary education remaining unsatisfied, the Government contemplate spending only Rs. 1½ lakhs for the construction of a new building for the Moslem institute in Calcutta and another large sum for electric installation in the Calcutta Madrasah. Such unusually large expenditure on brick and mortar as is contemplated in the Budget is not calculated to be conducive even to the interests of the Muhammadans themselves.

Babu KHAGENDRA NATH GANGULY: Sir, I want to participate in the discussion of the Budget not because I am particularly fond of hearing the music of my voice, but because this gives me a

chance, probably the only chance, of laying bare the shabby treatment which the Government metes out to local bodies and specially to Howrah. I do not like to traverse the old thrice-told tale of Government's partiality towards the reserved subjects—they are old history, and are not likely to illuminate the pages of Council proceedings by further repetition.

A remarkable feature of this year's Budget is the handsome opening balance of Rs. 2,53,40,000. I call this remarkable in view of the fact that Government have not been able to announce such a large opening balance for a good number of years. But lest some credulous members of the Council might entertain some distant illusion of benefiting their constituencies, the Hon'ble the Finance Member has thrown the wet blanket in the shape of restrictions immediately following the above announcement. He has taken care to state that apart from natural growth in expenditure which might not swallow up the excess revenue, there are important schemes in progress which would involve further recurring expenditure for their completion. In view of the bright outlook on the receipt side, it is proposed to set apart about Rs. 2 lakhs a year for schemes involving expenditure of a recurring nature and Rs. 40 lakhs of ultimate expenditure have been allotted for schemes of a non-recurring character. This sounds hopeful, but the next remark dispels the illusion. Of the Rs. 40 lakhs, Rs. 10 lakhs have been provided for the commutation of pensions of all departmental officers and Rs. 15 lakhs go up to swell the improvements on the Reserved side. Thus a sum of Rs. 15 lakhs are all that is left for meeting the crying demands of the people of Bengal for better sanitation, better education, better medical aid and better water-supply.

A detailed examination of the items in the labyrinthine Budget will again show that the same old policy of pampering the police and the executive services has been pursued with relentless regularity under cover of many eye-washes—the same old policy of starving the masses in the interest of the classes has been acted up to without paying the least heed to the repeated warnings given by the elected representatives of Bengal in this Council. This attitude of callousness on the part of the Government accentuates and illustrates the nature of the steel frame of this bureaucratic administration.

As I am anxious to expose the policy of Government in their relations to Howrah in which I am more directly interested, I would leave the criticism of the general administration of the Budget to other members of the Council who have made a more careful study of details.

The first item to which I would invite the attention of the Treasury Benches and the other members of the Council is the proposed canal scheme of Howrah. Since the establishment of the Howrah Municipality, 67 years ago, the effluent of the greater portion of Howrah drains

runs into low lying open land on the outskirts of the municipal area. But with the rapid growth of population the low tracts began to be inhabited and the problem of discharging the drains has steadily grown serious. During the régime of the official Chairman, the scheme for opening out a canal for receiving the storm water and sullage of the town was matured and the Government sanctioned the scheme at an estimated cost of Rs. 6½ lakhs in the year 1913. Government granted a loan, and lands were acquired for the purpose. But in the meantime a dreadful scarcity of water having arisen, and the Government having failed to carry out their promise of granting a loan for waterworks improvement, the then official Chairman diverted the sum of Rs. 2½ lakhs from the Canal Fund to the Water-rate Fund to meet only a part of the cost of improvement for water-supply. This appears to have been the beginning of the end. In vain year after year have we been crying ourselves hoarse for the balance of the loans, viz., Rs. 4,70,000, to enable us to push through the canal scheme and waterworks improvement, and thereby relieve the people of Howrah of the great nuisance caused by the existence of kutcha drains, and also to some extent the water scarcity of the people of Howrah. After years of correspondence, the Government have this year allotted a sum of Rs. 1,57,000 for waterworks improvement and nothing for the canal. The Engineering Department of the Government are now trying to back out of their commitments and previous pledges by stating that the canal scheme as sanctioned was not sound in principle, but that the Municipal Commissioners should take up a sewerage scheme. This latter alternative, which means an expenditure of nearly Rs. 70 lakhs, is absolutely prohibitive for the municipality and the ultimate result of such insistence would be to put off the matter *ad infinitum* and the ugly drains of Howrah, which are a source of shame and humiliation, would continue to flourish to the great detriment of the health of the people of Howrah.

My next criticism of the action of Government is about their policy of deliberate attempt at fleecing the Municipal Commissioners of Howrah in respect of improvement of the Grand Trunk Road. This road is pompously and euphemistically called an "Imperial Road," and throughout its entire length running up to Delhi it has been maintained by the Government. But this general rule was by some strategic manœuvring given the go-by in case of Howrah and she was made to contribute a lump amount of Rs. 7,700. The Public Works Department, however, neglected the road in such a culpable manner, and the complaints became so loud and clamant that the Commissioners were compelled to adopt a resolution withholding their contribution, with a view to rouse the dormant sensibilities of the Government to the seriousness of the situation. To mitigate the trouble and difficulties arising from the condition of the road, a proposal was set on foot to stone-set an important portion of the Grand Trunk Road within municipal area,

and the total cost of the same was estimated by Government at Rs. 2,66,000. Of this amount, Howrah was asked to contribute half, *i.e.*, Rs. 1,33,000. Apart from the gross iniquity and injustice involved in forcing one particular municipality to contribute such a large amount towards the improvement of an imperial road, the Government stolidly refused to consider the financial strain that this payment might involve on the finances of Howrah. But the Municipal Commissioners were so anxious to get this central road improved that they went out of their way and agreed to pay Rs. 70,000 in instalments of Rs. 10,000 each year. The Government took advantage of our anxiety and refused our offer. Then there was an interview with the Secretary in charge of Public Works. The result of this interview is not known yet. My appeal to the Hon'ble Member-in-charge is that the Government of Bengal should be above haggling and bargaining and that funds should be provided in the Budget for this urgent work of public importance.

Another matter in which I want to show up the Government is their absolute indifference to the convenience of the public even in the matter of administration of justice. The civil court buildings of Howrah have not only become antiquated but are disproportionately small to the volume of business that is carried on there. The present arrangement for accommodating the different courts is nothing short of a standing disgrace. There are two additional District Judges, who are located at an extreme end of the criminal courts and about 300 yards away from the civil courts. More curious than this is the approach to these Judges' Courts. There is a steep and high staircase with the steps worn-out leading to these courts and during the last four years I have asked not less than four sets of questions inviting the attention of the Government for improving or removing these dangerous stairs. On former occasions the answers gave some hopes of the work being taken up, but the last answer given at the beginning of the present session of the Council rounds off by saying that this improvement would not be made in view of the new civil court buildings which are going to be constructed soon. I expected that necessary provision would be found in this year's Budget. But I plodded in vain through the pages of the Budget to find out the said provision. Asansol has been favoured with Rs. 1,02,000 and even the steel racks and almirahs of the Hon'ble High Court have not been overlooked, but poor Howrah has been kept in the cold shade of neglect. May I inquire from the members of the Treasury benches what guiding principle is behind this policy of withholding such petty improvements as the construction of a staircase which would not cost more than a thousand rupees? May I also inquire why the litigant public of Howrah who contribute such a large revenue should be deprived of the amenities of a decent court building?

My last personal charge against the Government is that in spite of repeated warnings inside the Council and outside of it the Government have not taken any steps to extend the operations of the Improvement Trust to Howrah though I have been hammering at it since the year 1924 by questions and Budget discussions. It is admitted on all hands that Howrah and Calcutta are so closely linked up together that the imperfections of Howrah in the matter of bad roads and bad drains are bound to affect Calcutta in the long run. But in spite of this the Government's step-motherly treatment of Howrah goes on unchecked.

Sir, it is useless to add illustrations. The mentality of the bureaucratic administration is so deep rooted and so perverse that our warnings and protests do not touch them and go unheeded. We, who owe allegiance to the Indian National Congress, are out to storm and conquer the citadel of the bureaucracy and if the present day administrators do not cease to look upon India as the chosen victim of their exploitation, the day is not far off when they will have to repent in sackcloth and ashes for their callous and hostile treatment of the Indians. It will then be too late to retrace their steps. Let it not be said to the eternal discredit of those who are at the helm of affairs that at the most critical juncture of their affairs they could not rise to the full height of their national character and farsighted statesmanship. They should know that their habitual mistrust of the people of the soil, their policy of oppression and repression and their attempts to put behind prison bars the patriotic and high-souled young men of the land will weigh heavily against them on the day of reckoning which is not far off and which will be heralded as the dawn of a new and a glorious era for our motherland.

4 p.m.

Srijut NAGENDRA NATH SEN: The Hon'ble the Finance Member has presented his Budget estimates showing a large deficit. The Meston Award has been made the scapegoat of this misfortune, and members of this Council who have tried to convince the Simon Commission of the iniquitous nature of this settlement have been specially commended by the Hon'ble Member. The Meston Award is there and is likely to continue for sometime yet to come. But does the Budget show any attempt to adjust the revenue and expenditure in such a way as to command public support? Should not the Budget have shown indications that in spite of the Meston Award the Government have tried so to act that the public may appreciate the avowed good intentions of Government? I say, no. The Budget nowhere shows that sense of sympathy towards promoting the natural aspirations of the people of the country which should form the fundamental principle of Government. "Sympathy," which according to His

Majesty the King Emperor should be the watchword of a true administration, is lacking everywhere. The people want to live, they want to live a healthy life and to maintain themselves as other people in other countries want to do. They want health and wealth. Is there anything in the Budget which reveals that Government have any intention to promote the health and wealth of the country? The reason is that an alien top-heavy administration can neither appreciate the aspirations of the people nor has the desire to promote and advance their aspirations.

The Budget nowhere shows any desire on Government's part to improve the supply of drinking water in rural areas. Due to exploitation of foreign capital the natural system of water-courses of this country have been so dealt with that they have ultimately died or are dying. The railway policy of the Government is dictated by the Military Department and the Chamber of Commerce. In constructing the railways the big and small rivers have been so dammed and embankment put in that the health of the country has deteriorated and the fine system of rivers in Bengal—once the finest in the world—has died an unnatural death. And there has been no attempt to undo this mischief. The rivers have ceased to carry water, and the consequence is that the feeder khals and bils are now no longer their former selves, and the only water available in rural areas is the tank water, and the tanks also are fast disappearing and becoming unfit for use. While Bengal is essentially an agricultural country the Government do not appear to have anything in contemplation how to promote agriculture, and agriculture means the wealth of Bengal. But surely something could have been and should have been done in spite of the Meston Award.

But the Meston Award has not stood in Government's way of expending more money on certain fit objects. There has been shown no indication of curtailing expenditure where this is possible. There has been an increase of the Deputy Magistrates and Deputy Collectors and this will cost Rs. 51,000. The household expenditure of the Government House requires an excess amount, the police budget requires more money, more moneys have to be spent in bricks and mortars, a Council House at a cost of more than a quarter of a crore. all these show utter callousness and want of sympathy with the poor people. Registration fees have been doubled, the forest rates have been enhanced, the stamp duties have been raised 50 per cent., court fees likewise, while there has been a systematic refusal to improve the pay and prospects of the ministerial officers under Government drawing low scales of pay, the refusal to incorporate the copyists and typists into the salaried grade of officers, the refusal to improve the condition of the Registration office employees, all speak for themselves and need no comment. Highly paid officers should be benefited by allowing them to commute their pensions by cash and lump payments,

and so provision has been made therefor. Primary and secondary education has been neglected. But more provision has been made for inspecting staff and buildings. The police does not call for any comment, it is a cry in the wilderness. The ever increasing expenditure on police is sought to be justified by the happenings of communal riots and swadeshi agitation, and while it has to be admitted that more riots mean more police, one cannot shut one's eyes to the fact that Government have never raised its little finger to tackle communalism at its roots. Government have never taken any steps to prevent communal riots or to make them impossible. The root cause of these riots has never been attempted to be discovered or it may be that Government are aware of it and in some quarters it is freely stated that Government do not attempt at its prevention because it furnishes some source of strength to Government. Divide and Rule policy is a favourite policy with the Government and Government look with dismay upon the prospects of a Hindu-Moslem unity and therefore foment and encourage these riots. When the question of railways is considered Government fights shy of the whole matter by saying that it is a Central matter and that the local Government are not responsible for it. It is a wonder of wonders how Government can with any sense of decency avow to abdicate its authority and renounce its responsibility: It may be the internal administration of the railway is a Central subject, but the local administration thereof is surely a matter with which the local Government are primarily concerned. The ill-treatment meted out to passengers, the unhealthiness of the station premises and the railway carriages, the unfit foodstuffs offered for sale, the want of pure or impure drinking water are all matters in which the local Government should not be heard to deny their responsibility about.

The passenger steamer service has long been a matter of the loudest complaints. Now that this Council has adopted a motion for the formation of a committee let us see how Government deal with this matter. Now to turn to matters nearer our own district we have observed with consternation and dismay at the absence of any reference to the Alaipur project and the Cobadue or Betua schemes. Hope deferred maketh the heart sick. The subdivision of Satkhira badly needs the khal to be cut, the Bagerhat subdivision is unapproachable for want of a fordable river and Government have made many promises in the past only to break them now. And Mr. Marr has frankly told this Council that no more money will be available in the near future.

Adjournment.

There being no other speakers the Council was adjourned at 4-10 p.m. till 2-30 p.m., on Friday, the 1st March, 1920, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 1st March, 1929, at 2-30 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 75 nominated and elected members.

Starred Questions

(to which oral answers were given).

Scale of pay of process-servers attached to Civil Courts.

*60. **Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) what is the present scale of pay of the process-servers attached to the civil courts in Bengal;

(*ii*) since how long has the present scale of pay been continuing, without any change;

(*iii*) whether the process-servers are considered as whole-time Government servants;

(*iv*) whether they are entitled to pensions on retirement like other Government servants; and

(*v*) whether they are entitled to leave allowances under the Fundamental Rules?

(*b*) If the answers to (*iv*) and (*v*) are in the negative, will the Hon'ble Member be pleased to state why they are debarred from enjoying the privileges?

(*c*) Is it a fact that process-servers are recruited generally from men of the *bhadralok* class with education?

(*d*) Have the Government received a copy of the Resolutions passed at the last annual session of the Process-servers' Conference at Alipore on the 28th December last?

(*e*) Is it in contemplation of the Government to raise the pay, prospects and status of the process-servers in the near future?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) (*i*) The districts in the Presidency have been grouped into two classes, (A) and (B), according to the cost of living, the dearer ones being classed as (A) and the rest as (B). In A districts, the scale of pay is Rs. 18—1/5—22 and in B districts, Rs. 16—1/5—20.

(*ii*) Since 1st July, 1921.

(*iii*) Yes.

(*iv*) Yes, in the inferior scale.

(*v*) Yes, subject to S.R. 1 of the F.S.R.

(*b*) The question does not arise.

(*c*) No.

(*d*) Yes.

(*e*) No.

Cess revaluation in Nadia.

*61. **Mr. RANJIT PAL CHOUDHURI:** (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the annual cess assessed during the last ten years for Nadia,

(*ii*) the amount of cess assessed according to the last cess revaluation in Nadia,

(*iii*) the difference between the last and present assessment, and

(*iv*) the basis of assessments?

(*b*) Is the Hon'ble Member aware that in many cases the cess has been increased by 400 per cent. and over?

(*c*) Will the Hon'ble Member be pleased to state whether it is in the contemplation of Government to consider the cases where exorbitant assessments have been levied?

(*d*) Has the annual value of lands been fixed at thanawari rate?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state whether it was duly notified?

(*f*) Have notices under section 24 been issued to the cultivating raiyats?

(*g*) If the answer to (*f*) is in the negative, will the Hon'ble Member be pleased to state under what section they are valued?

(*h*) Is it a fact that the valuation of estates and tenures have been made mauzawari instead of treating them as unit?

(i) If so, will the Hon'ble Member be pleased to state the grounds on which part valuation is allowed in cases where revenue or rent is not divisible?

(j) Is it a fact that the valuation statement under section 34 of the Cess Manual, 1919, page 142, has been omitted?

(k) If so, under what authority?

(l) Will the Hon'ble Member be pleased to state whether notices under section 66 have been issued on the rent-free holders? If not, why not?

(m) Are the Government considering the desirability of legislating to indemnify superior landlord against loss through the failure of suits for realisation of cesses from subordinate interests due to laches on the part of the Collector in not taking necessary steps under the section and rules laid down in the Cess Manual, 1919?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Sir Provash Chunder Mitter): (a) (i) Rs. 1,94,079 after intermediate alterations before last revaluation.

(ii) Rs. 3,24,642, excluding valuation of lands lying within the geographical limits of other districts, but borne on the tauzi roll of this district.

(iii) Rs. 1,30,563.

(iv) The last assessment was based on returns only as submitted by the parties, but the present assessment is based mainly on the finally published settlement record-of-rights and returns.

(b) It is reported that there were a few such cases.

(c) No, since no case of illegal assessment has come to the notice of Government.

(d) The annual value of lands other than those held by cultivating raiyats was fixed on the basis of tables of rates prepared for each thana.

(e) The Act does not require that the rates should be notified. They were however sent to the Chairman of the District Board and the President of the local Bar Association for information.

(f) No.

(g) Lands of cultivating raiyats within an estate or tenure are valued in accordance with section 4.

(h) No. Estates and tenures were valued as units after ascertaining the valuation in each mauza.

(i) No such case occurred.

(*j*) and (*k*) No. Since forms A and B of Appendix VI of the Cess Revaluation Instructions served the purpose of valuation statements in accordance with rule 115 (*v*) of the Cess Revaluation Instructions, 1923.

(*l*) Yes, when necessary.

(*m*) No, because apart from other reasons, no laches has been established.

Mr. D. N. ROY: Will the Hon'ble Member be pleased to state the meaning of the word "basis" in answer (*a*) (*iv*)? How is the assessment calculated?

The Hon'ble Sir PROVASH CHUNDER MITTER: The assessment is calculated under the Cess Act, coupled with the instructions issued.

Mr. D. N. ROY: Is it not a fact that the assessment should be based on the circumstances of each estate and not upon the settlement returns, etc.?

The Hon'ble Sir PROVASH CHUNDER MITTER: No. The Cess Act does not provide for that.

Mr. D. N. ROY: Is the Hon'ble Member aware that under the *Note* to section 34 the valuation must be based on the "existing circumstances" of each estate?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as cultivating raiyats are concerned, the valuation is determined by section 4 of the Act. So far as tenures are concerned, there are no specific sections in the Act; and the *Note* referred to by my friend must be read with the provisions of the Act.

Mr. D. N. ROY: Is it not a fact that notices are not always properly served?

The Hon'ble Sir PROVASH CHUNDER MITTER: Notices are always properly served, but if my friend can bring any specific case in which a statutory notice has not been properly served, I shall be pleased to look into the matter.

Mr. RANJIT PAL CHOUDHURI: Who is the authority to hear cess appeals?

The Hon'ble Sir PROVASH CHUNDER MITTER: The authority is mentioned in the Cess Act.

Irrigation policy in Bengal.

*82. **Srijut NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state the result of His Excellency the Governor's tour of inspection in July last in the matter of the off-takes of the Bhagirathi and Jalangi rivers?

(*b*) Has this affected the Bhairab reclamation schemes?

(*c*) Will the Hon'ble Member be pleased to state the precise position of the Bhairab schemes?

(*d*) Will the Hon'ble Member be pleased to state the precise position of the Khobadak and the Betna projects in the Jessore and Khulna districts?

(*e*) Are the Government considering the desirability of issuing a memorandum containing the outlines of the irrigation policy of the Government in the Gangetic delta?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) The matter is under careful investigation. Further observation is necessary in order to ascertain the causes in operation and to devise, if possible, means for the improvement of these rivers.

(*b*) No.

(*c*) and (*d*) The position is much the same to-day as explained in the reply to the question No. 25 (starred) during the July Session of last year, except that the Betna project has been sent to the Director of Public Health for opinion.

(*e*) Not at present. The question of future irrigation policy in Bengal is, however, occupying the attention of Government, and a statement on the subject will be made as early as possible.

Mr. D. N. ROY: How long has the matter been under careful investigation?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: For a number of years.

Mr. D. N. ROY: How long will it be under that careful consideration?

Mr. PRESIDENT: That is no question.

Srijut NAGENDRA NATH SEN: With reference to the phrase "Not at present" in answer (*e*), will the Hon'ble Member be pleased to state when the statement is likely to be available to the general public?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I cannot say.

Mr. JOGESH CHANDRA GUPTA: With regard to the question of the future irrigation policy of the Government, is the Irrigation Department considering the Grand Trunk Canal project as one of the accepted policies of Government?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The Grand Trunk Canal project does not concern the Irrigation Department.

Rai JADUNATH MAZUMDAR Bahadur: Is the Hon'ble Member aware that the Bhairab scheme has been pending before the Government for the last 40 years?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Rai JADUNATH MAZUMDAR Bahadur: Is the Hon'ble Member aware that when Lord Ronaldshay visited Jessore, he promised that the schemes would be taken up during the year following his visit?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I do not know.

Srijut NAGENDRA NATH SEN: With regard to answer (*a*), will the Hon'ble Member be pleased to state whether the report of His Excellency the Governor's tour of inspection is available to the public?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No, Sir.

Mr. JOGESH CHANDRA GUPTA: Is it available to the members of this House?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I want fresh notice, Sir.

Rai JADUNATH MAZUMDAR Bahadur: Is the Hon'ble Member aware that when Lord Lytton visited Jessore, he promised that the Bhairab schemes would be taken up within a year following his visit?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Rai JADUNATH MAZUMDAR Bahadur: Will the Hon'ble Member kindly inform the House in what stage Bhairab Scheme No. 1 is at present?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I think I have replied to this question by referring to starred question No. 25 of the July session of last year.

Mr. PRESIDENT: Has the Hon'ble Member anything to add to what was then said?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Srijut NAGENDRA NATH SEN: With reference to answers (*c*) and (*d*), will the Hon'ble Member be pleased to inform the members of this House the precise stage of the Betna project when it was sent to the Director of Public Health?

(No reply).

Dr. KUMUD SANKAR RAY: Will the Government consider the desirability of transferring the portfolio of Irrigation from the present Member to another Member of Council?

(No reply).

Alteration of date of the next meeting on account of Id.

Mr. PRESIDENT: Gentlemen of the Council, day before yesterday, I received a representation from the Moslem members of this House that owing to the Id it might be difficult for them to attend the Council meetings on the 14th and the 15th of March next. I brought this to the notice of His Excellency the Governor and he has been pleased to direct that the Council shall next meet on the 16th March and not on the 14th, as previously arranged. The effect of this will be that only 10 days would be available for the

voting of the demands for grants before the Easter holidays intervene. In the special circumstances, His Excellency has been pleased to direct that the Council meetings may be continued, if necessary, after the Easter holidays on the 2nd and the 3rd of April.

The general discussion of the Budget will now be resumed.

General Discussion of the Budget.

Maulvi ABUL KASEM: I have been told that the discussion of the Budget in this House, or rather before empty benches, is of absolutely no use or utility. I agree with that, but if I rise to say a few words to-day, it is not with the intention of inflicting a speech on the House, but simply to record my protest against the Government of Bengal for their treatment of the rural areas as compared with that of cities. I am sorry to say, Sir, that this year's Budget, which is the last Budget to be passed by this Council, should have been more unsatisfactory than the previous budgets presented to us, though I fully recognise that there are circumstances over which we have no control—whether the Finance Member has, or has not, I cannot say.

What I find in this Budget, Sir, is that although provision has been made for the improvement of cities and the provision of comforts and conveniences for some classes of Government officers, very little attention, if any, has been paid to the rural tracts of Bengal. I have not much experience of Bengal on the other side of the river Padma, so I shall confine my remarks to that part of the country from which I come, I mean the Burdwan Division, and of which I have more intimate knowledge. Sir, before the government of this country passed into the hands of the British, my part of the country was perhaps the most fertile in the whole of Bengal, if not of India. After the British took charge of the government, peace and order were brought into the land, no doubt, but so far as we, the people of Burdwan, are concerned, for reasons for which the Government itself is responsible, the fertility of the land has immensely deteriorated and to-day the cultivators, the people of the rural area, are, I cannot say, living from hand to mouth, but they are actually starving, why, because the productive powers of the land have diminished although the taxes imposed on them have reached the maximum limit. True, we have been told that the Government are taking adequate steps, they have got the Damodar Canal project in hand, and other engineering works, for the purpose of creating irrigation canals. We have already the Eden Canal, but I submit that it is not sufficient for the purpose as it does not supply water where it is needed, particularly at times of acute scarcity. The whole problem requires complete investigation and revision.

On the other side of the Burdwan district, 60 square miles of land go uncultivated every year because the crops are destroyed even by a few days' flood and inundation, and for the rest of the year the beds of the rivers are silted up. All these rivers, the Ajay, Damodar and other rivers are affected because of the action of the Railway in building bunds for railway construction; these and other reasons have caused water-logging. The outlet of water from water channels is so limited, that naturally the bed of the river has gone up with the result that the drainage of the Division has been stopped and there is no yearly flushing.

Sir, we hear a good deal nowadays about the steps taken by Government for the eradication of malaria; the Public Health Department of the Government has been giving demonstrations and magic lantern lectures on sanitation to people in the country, but if agriculture is improved by better drainage, and flood and rain water are allowed to drain away quickly, water channels cleared, and so forth, malaria and other diseases will completely disappear, and there will be no further damage to the crops. I submit that unless and until these problems are tackled properly the distribution of quinine will be of no avail whatsoever.

Sir, in the resolution of Government published on the working of the District Boards, it has been remarked that the District Boards are doing very good work and that there is an improvement in the health of the province, but as good work has to be continued, it has been suggested that fresh sources of taxation should be explored in the rural areas for further improvement of drinking water, roads, sanitation, etc. Along with other suggestions, it has been suggested that the carts plying in the rural areas, which have hitherto remained untaxed, should now be taxed. We are all thankful to Government for the sympathy shown to us, for our health, roads and other conveniences. But there is one thing remarkable about that resolution. It says that the roads are not in a proper condition, and therefore it is not convenient for motor-cars to ply without damage. The owners of motor-cars, buses, etc., pay whatever taxes they have to pay for licences, etc., to the authorities in Calcutta and not to the District Boards. These people do not pay a single pice towards the maintenance and upkeep of district roads, but still it is their convenience that has to be looked to. This is an aspect which the resolution ignores altogether. In my district also an order has been passed, not by the District Board but by the Government of Bengal that the width of the rim of the wheels of all bullock carts plying in that district must be increased by 2 inches, if not more—the reason given being that the narrower rim damages the roads badly with the result that motor-car tyres are badly affected. I submit, Sir, that if the owners of motor-cars want good district roads, they ought to be made to pay for them, and not the poor people.

Sir, the question of irrigation and sanitation go hand in hand, and very little attention has been paid to either of them, and where measures for improving them are concerned, the Budget shows the parsimonious hand of the Scotsman, but where it is a question of "bricks and mortar," or other conveniences for Calcutta, it is not the hand of the Scotsman, but that of the spendthrift Londoner that are seen in these items of expenditure.

Sir, what we regret, and against what I enter my most emphatic protest, is that the provincial revenues should be spent for the benefit of the wealthier section of the people of the province. The poorer section of the people demand and deserve more consideration at the hands of our Chancellor of the Exchequer.

Sir, one of the worst miseries which the cultivators suffer is their perpetual and grinding indebtedness. Government some years back considered this question, and as a result they established the Co-operative Department for helping the starting of co-operative societies for the relief of the cultivators. I cannot say that these societies have done immense good to the people, it is undeniable that they have done some good, and are progressing satisfactorily, and it is expected that if these societies extend, a time may come, and I hope it will come, in the near future when the indebtedness of our cultivators will be entirely removed. But, Sir, there again Government interferes. When we ask for a larger number of co-operative societies to be established, the Registrar tells us that we cannot have any more as there is no further provision in the Budget made for their audit, inspection and control. Sir, I understand that the audit fees received from these societies were intended to defray the pay and expenses of the auditors, but, Sir, if you look through the Budget, you will find that a good portion of the audit fees realised from co-operative societies is merged into provincial revenues and only a moiety is left for the expansion of the staff of the Registrar of Co-operative Societies. There have been complaints about this, and I hope the matter will be seriously considered by Government.

Lastly, I hope that as this Council will not be in existence after some months, our successors will have the good fortune to find better provision made for irrigation, drainage, sanitation, etc., in rural areas in the budget estimates of the years to come, and also to realise our aspiration that the municipalities of Calcutta and the mufassal alike should be asked to pay for their own conveniences and comforts, and not utilise the hard-earned money of the poor cultivators of this province for the purpose.

Babu NALINIRANJAN SARKER: Sir, if it is the privilege of the Hon'ble Member to present the Budget to this House in the usual

stereotyped form without any attempt to introduce features of enlightened financial policy such as characterise the budget of a free and progressive nation, it is equally my bounden duty to point out its inadequacies, albeit with that lack of practical effect which is but natural to the efforts of a subject people. I should, indeed, have refrained from taking the time of the House and taxing the patience of the Hon'ble Member, by offering criticisms with which he is all too familiar, but for the fact, that the dangerous tendency in the Government not to look beyond the brim of their hats and to live only for the day with a Christian indifference for the morrow, has brought the affairs of our province to the verge of bankruptcy and ruin.

In the words of the Finance Member himself the Budget estimates of the Government of Bengal are presented in the usual form, replete with statements and appendices. There is also a free offer, lightly made because perhaps not intended to be seriously taken, for "further information on any point" to anyone desiring the same. But Sir, beholden as we are to the Hon'ble Member for this offer, are we, in these days when the people of every country have learned to look to the National Budget for some measure or other of popular benefit, some lightening of the load of life for the toiling and, in this country, the starving masses, are we, I ask, to be content merely with such a show of courtesy, a courtesy extending only to an arithmetical explanation of sundry figures? Year in and year out, we, with our mandates from the people, and with our own sense of duty to our country, have taken the Budget even as it was presented to us, item by item, and pointed out the vast disparity between the crying needs of these people and the paltry provisions made by Government. But all to no purpose. We have grown sick of the lame excuses, specious pleadings and insincere protestations of the Government. Perhaps we expected too much of the army of Government officials in the Finance Department, marshalled as they are, not by one, but by two Alexanders, to fight the forces of ignorance and disease in this unfortunate land. But is it also too much to expect of them, even from their own narrow standpoint, to make both ends meet, not merely for the hour, but in accordance with the perspective of a reasonable distance of time? The Finance Member is diffident as to whether he may claim that within the resources at his disposal he has made a fair distribution throughout the various branches of the administration. So far as bounties to the services are concerned, we are quite convinced that he has been more than generous and exhaustive in his treatment. But had this side of the House been in power, the slender spring of our resources would not have been allowed to dry up without a reasonable proportion of its life-giving current being utilised for popular welfare. Even with our resources as they are, much can be done

on the principle of an equitable sharing of the burden of stringency. We would be financiers not arithmeticians, nor mere "pay-clerks" doling money according to debit bills. Even this Government can do much if it would only devote a little more thought for the people, and display a little less partiality for the services, if it would evince a livelier interest in the vital, if somewhat drab and prosaic, concerns of the masses and a lesser fondness for powers and pomp, for the theatricalities, the extravagances and flamboyances of authority; that is to say, if it had some sense of proportion, some consciousness of values. But at budget time, they cry of want; at the year end, they complain of saving.

3 p.m.

But that is, as I said, an aspect on which I do not propose to touch in any detail to-day; I shall confine myself to the narrow aspect of the technical integrity of the Budget, and try and meet the Treasury on its own ground. I ask in the first place, is it fair to the House that there should be no attempt on the part of the Government to explain the general financial position and to convince the House that it is not, as I urge it is, on the verge of ruin? The position now is, that but for the windfall of Rs. 52 lakhs, thanks to the unbounded licence granted by an alien Government for the free exploitation of this country, we would not have been able to meet the expenditure from revenue and our affairs are such that we must eat more and more into our balance. This balance, Sir, is not an unencumbered one. We have the definite obligation to maintain it above the limit of one crore; and while the Government have shown no unreadiness to incur new recurring charges on account of the superfluous luxuries of bridges and buildings, they have not evinced the slightest interest in properly adjusting the appropriations in view of the real and pressing needs of the people. They have made the utmost of the very valid grievance against the Meston Settlement, trying to make a scapegoat of it for all their follies and blunders. Who amongst us, Sir, would say that the Meston Settlement has not been inequitous in its treatment of Bengal and ruinous in its effects? Its worst feature, apart from its inequity and injustice, is the licence granted to the Bengal Government to meet increased expenditure from the expanding revenues relating to excise and stamps—a licence, Sir, to exploit two of the most ruinous of human weaknesses. I do not know how Christian morality, or any morality for that matter, can attempt to justify it. But the Meston Settlement, a curse as it is to Bengal, has proved a veritable boon to successive Finance Members, for it has served as a potent excuse for the whole of the Finance Department sitting on its oars and looking on, while we are being borne down to certain ruin. For leading to ruin we certainly are and I can convince the

House, though the Finance Member affects to be undisturbed and has refused to take the House into his confidence, that our financial position is one fraught with the gravest anxiety for the representatives of the people. I shall, Sir, briefly present the position as I see it. The fundamental fact from which there is no getting away is this: that apart from many further Godsends which we can hardly expect to be showered on us in a continuous flow, we have not the means of making both ends meet.

According to the Budget estimates for the coming year, the estimated revenue amounts to about Rs. 11 crores and the expenditure to about Rs. 11,70,00,000 causing a normal deficit of about Rs. 70 lakhs. Together with this has to be considered the fact that the Government have definite commitments from which there is no turning back, though they were undertaken with callous indifference to our financial capacity—commitments which mean an annual expenditure in the neighbourhood of Rs. 30 lakhs for years to come. The works in respect of these have already commenced, large outlays have been made or incurred, and good money, hard-earned money, will have to be thrown after the bad money thus spent with careless indifference. The estimated closing balance is Rs. 1,64,65,000 and even this is not free from encumbrance as there are the non-recurring charges for schemes to which Government are committed, like the Dacca University Moslem Hall, the Bhatpara Sewage Scheme, the Calcutta bridges, medical schools, etc., the charges on these accounts coming up to about Rs. 60 lakhs. The balance is, therefore, the compulsory minimum vitally necessary as a working balance. With our hands thus tied I leave it to the House to imagine the effect of this financial paralysis on the life of the province. There is no surplus either for recurring expenditure on life-saving measures, nor even for serving a loan whereby these could have been undertaken.

Meantime, what can we do? Fret in impotent rage? Or affect a callous indifference? Or sit with folded hands till the day when the Meston Settlement may be unsettled! I can only repeat that my own optimism has run itself out. If a new settlement should again increase our resources comparatively, I dare say the Government will readily find more than one costly scheme of benefit only to their protegees or of avail only to tighten their grip over our people, to sponge away the moneys as they come. The millions will still be left to their wretchedness and penury. This kind of futile estimate and frantic finance must continue so long as the irresponsible system of Government is what it is, and I realise only too keenly that the most unanswerable criticism is but idle.

Where criticism is unavailing, let me at least make a fruitful suggestion.

We have on us a demand for Rs. 1,50,000 on account of those ministers who may be willing to espouse the crippled dame of Diarchy. I wonder, Sir, whether there be any gallants in this House who may be willing to let the lure of gold blind them to the ghastliness of the much-hawked bride. Why not, then leave this dowry for those who are already wedded to diarchy, in grateful recognition of the services which have brought our finances and our position to this pass. A goodly share should doubtless go to the Hon'ble Finance Member who has so successfully marred both present and future of this province. But other and worthy claimants there are whose deserving claims I would specially put forward before the Council. The Hon'ble Member for Irrigation who extends his blissful somnolence to costly dredgers that have ceased to dredge, by dint of perennial state of costly repair, has likewise his claim to a portion. Then comes the Hon'ble Revenue Member who advertised a grand scheme of water-supply to the province but at the earliest opportunity contented himself with quenching his own thirst—for office I mean—leaving the parched millions of Bengal to God's good care. I have deliberately held over the claims of the Member for Law and Order to the last. For his deeds are brave and his achievements heroic. Is he not the member of the Executive who, for the first time in the annals of Indian Constitutional history, could win out of the Chief Justice of Bengal the proud boast that the Executive head of the department of Law and Order and the Crown's chief representative of Justice "pull on well together." Yea, and from that same Lord Chief Justice to secure so intimate a co-operation as to lead the latter, in his desire to please, to level accusations of political bias against a colleague, and to hurl slang denunciations against an accused in the dock, because, forsooth, of a rival political persuasion? It is not for me, Sir, to anticipate the decision of the Council, but may I not claim that I have made an offer acceptable at least to this side of the House as a fitting recognition of the wisdom, financial and otherwise, of the Government?

Mr. BIJOY PRASAD SINGH ROY: Sir, as regards the utility of delivering a budget speech to an empty House I entirely agree with my esteemed friend Maulvi Abul Kasem but mine is not one of unadulterated protest. I also agree with the Maulvi Sahib in his condemnation of the Government for the present condition of my district and I join with him in his chorus of lamentation.

Sir, I think I can congratulate the Hon'ble the Finance Member for being the sponsor of a surplus Budget in spite of the present financial difficulties. Nobody feels the financial stringency more keenly than he does, and I take this opportunity to thank him and his Secretary, Mr. Cassells, for presenting the case of Bengal frankly, fearlessly

and most effectively before the Simon Commission. The balance of the Budget is due to the windfall of Rs. 52 lakhs; and I am sure that the Hon'ble Finance Member appreciates this windfall most. He appreciates it more than even the captain of a ship stranded in the mid sea and waiting almost hopelessly for a favourable breeze.

Sir, turning to the Budget itself, I find there is no new feature, the same stereotyped method of meting out doles to departments fairly and equitably as much as possible under the present circumstances. Taking the Revenue Department first, I find there is a provision for the colonisation of the Sundarban area which will remove the scarcity of land. This is a good thing which my countrymen will fully appreciate. But in the next item there is a provision of Rs. 17,73,000 for survey and settlement work. Sir, I reiterate my protest against this ill-conceived scheme. It is quite inconsistent with the present financial condition of the province, very unsuitable to the economic condition of my countrymen, and what I find is that it is for the benefit of none; it is not to the benefit of the Government, neither of the landlords nor of the tenants. Its only effect is that it will drive the tenants against the landlords and the landlords against the tenants and will create an enmity between the two. (A VOICE: Question).

Then, Sir, coming to the police, I find there is an increase in expenditure by Rs. 16 lakhs. Attempt has been made to explain and justify it, but we feel that this increase is not consistent with the present condition of our revenues and not commensurate with the increase in the other departments, the departments in which we take more interest and which are really for the good of the people, for instance, the Department of Education, where the increase is only about Rs. 4½ lakhs, whereas in the Department of Police the increase is Rs. 16 lakhs. This is a very good commentary on the Budget itself.

As regards the Medical Department, there are certain useful provisions, for example, for medical schools and certain other medical institutions. Here again I cannot but make certain observations on some of the items in the Budget. The grant for the Carmichael Medical College is only Rs. 20,000. Sir, it must be remembered that it is an institution which was started by private enterprise and is a self-supporting institution maintained by private enterprise and by the sacrifice of certain patriotic gentlemen. I think the Government owes it to themselves to increase the grant for this institution. When a grant of one lakh can be provided for the Hospital Nurses' Institute and a provision of Rs. 23,664 has been made for the Bhowanipore Observation Ward, for the Carmichael Medical College there is a provision of Rs. 20,000 only. I find a provision of Rs. 50,000 for the improvement of public health. The same amount of Rs. 50,000

was provided last year also. This is an item for which one would like to see at least Rs. 5,00,000 provided, if that is possible, a grant of Rs. 50,000 for the public health of Bengal is hopelessly inadequate. There is also a grant of Rs. 2,50,000 for rural water-supply. Sir, my friend Babu Naliniranjan Sarker has already anticipated me, and he has asked what has become of the rural water-supply scheme of the Hon'ble Sir P. C. Mitter. Sir, has the thirst of the rural people been already quenched? I do not know why this question has been shelved in the archives of the Government Secretariat to be brought and to be flourished again when it will be thought necessary. I find there is a provision of only Rs. 1,20,000 for the distribution of quinine. It was Rs. 1,80,000 in the revised estimate of 1928-29 and I do not know what has led the Government to reduce it by Rs. 60,000. There is also a provision of only Rs. 50,000 for anti-kala-azar campaign. It was Rs. 1,50,000 in the previous year's budget and I strongly protest against this inequitous reduction of a grant under an important head of expenditure. There is a grant of Rs. 80,000 for intensive anti-malarial measures. Surely one is tempted to say that only Rs. 80,000 for *intensive* anti-malarial measures for the whole of Bengal is a mockery! There is a provision of Rs. 80,000, reduced from Rs. 90,000 provided last year, for inspecting staff for vaccination under the District Boards. I should say that this Rs. 80,000 is a very high figure to be wasted on the inspecting staff when the main provision for vaccination itself is not more than Rs. 50,000.

Then, Sir, on page 82 of the Budget I find a provision for one Deputy Director of Industries. I should think this is another huge waste of money. Rs. 1,800 per mensem for one Deputy Director of Industries comes up to Rs. 22,000 a year. While Rs. 30,000 is provided for grants to industries Rs. 22,000 is provided for one Deputy Director of Industries!

As regards the civil works and the irrigation projects, I find there is no new and important work which will improve the irrigation of the province. The only one important work which the Government undertook about two years ago was the Damodar Canal. There was not much progress during the last year and no new scheme has been undertaken this year as well. As a member of the Irrigation Committee I am perfectly familiar with the handicaps which prevent the Government from undertaking new works and I do not wish to offer any criticism at present.

Mr. JOGESH CHANDRA GUPTA: Sir, many members including the non official Europeans and official Europeans have told me that though they agree with much that we may say, yet they cannot

support us because we refuse to share the responsibility of Government. I stand here to discuss the Budget to-day with a view to tell them why it is impossible for any man claiming to be a representative of the people to share the responsibility of a soulless and inanimate system of government as the present.

3-20 p.m.

I think I may state without fear of contradiction that it is the solemn duty of Government to prevent people from dying if it is possible to prevent it. I do not think I need fear any contradiction in stating this.

Let us now turn to the vital statistics which I want to read to the House from the last Administration Report of the Government of Bengal. If you look at the vital statistics given on page 49 you will find this: "The most striking feature of the vital statistics is the steady downward trend of the birth-rate accompanied by a death-rate, which fluctuates considerably." The report further says "The figures compiled by the Public Health Department afford clear proof of the imperfect method of collecting vital statistics. For example, the maternal death-rate in rural areas is much less than it should be on the basis of the Calcutta figures, which are naturally more accurate." So that when I am giving the vital statistics from the Government report I want the House to remember that if it errs on any side it errs on the side of moderation and there is no exaggeration of figures. The chapter on vital statistics says that the total number of births recorded during the year was 1,276,380 giving a birth-rate of 27·4 per mille which was 7·4 per cent. less than that of the previous year and 5·2 per cent. less than the quinquennial average. It further states that the number of deaths from cholera was 59,000, an increase of 85·7 per cent. over that of the previous year. The percentage of cholera mortality to total mortality was 5·1 against 2·9 during the previous year.

Then speaking about small-pox it says that during the year small-pox claimed 25,548 victims, an increase of 25 per cent. over the previous year and 66·6 per cent. over the decennial mean.

Speaking about fever the report says that during the year 822,744 deaths occurred from fever of which 458,198 were due to malaria, 14,295 to kala-azar, and so on, and these being the figures of the vital statistics in the Government publication (I mean the latest publication) let us now turn to the provisions made in the present Budget.

If you look at page 77 of the Budget—expenditure in connection with epidemic diseases, a portion of which has been referred to by my friend Mr. Bijoy Prasad Sinha Roy—it reveals to us that the

total expenses in connection with epidemic diseases were Rs. 5,89,000 in the budget estimate for 1928-29 and Rs. 4,89,000 in the revised estimate in the current Budget, but when there is an appalling increase in the number of deaths as I have shown from the Government report, the provisions this year are almost half, only Rs. 2,81,000!

The figures for death do not include figures about many more millions who are in the grip and agony of those preventable diseases in Bengal. If any representative of the people is asked after this to take a share in the responsibility of such a government should he not refuse to be a party to a system of government Members of which in a free country would be brought up for a charge of man-slaughter if not murder for neglecting the lives of the people?

Khan Bahadur Maulvi AZIZUL HAQUE: That is all the more reason why you should come in and prevent it.

Mr. JOGESH CHANDRA GUPTA: I almost hear the voice of some prospective Minister there. I can well understand the anxiety in his mind about it.

Khan Bahadur Maulvi AZIZUL HAQUE: I say it is not a prospective Minister but a member of this Council who asks the speaker to accept the Ministry on the ground——

Mr. PRESIDENT: Order, order. Mr. Gupta may proceed.

Mr. JOGESH CHANDRA GUPTA: As I said and may I repeat to my friends that no one claiming to be a representative of the people can become a party to a system of government like this and be tabooed as having accepted that office for the purpose of Rs. 5,333 a month which could better be saved and devoted to saving of a few lives wherever possible. That is the view we take and that is our justification for not sharing the responsibility of office. We know very well that for the last 10 or 15 years kala-azar has spread along with the spread of water hyacinth. Schemes have been suggested but Government have remained inactive. Only yesterday we heard the reply of Government that they did not intend to take action in the matter. We are always criticised as destructive critics but we claim that a member from this side of the House has, in response to a request from the Minister, furnished him with a Bill for eradication of water-hyacinth which the Government have been asked to take up and publish under rule 47. It is from this side of the House that an Industries Aid Bill has been introduced in this Council and it was also from this side that powers were sought to be given to Union Board presidents but the proposal has been rejected because it was re-sent by the Governor. I, therefore, say that there is nothing in

the statement that we are only destructive. I ought here to remind members that in this hall a statement was made by that great patriot, Deshbandhu Das, and it was in these words, which I think are still ringing in this hall and the walls of this hall are still resounding: "If I am destructive, it is because I want to construct. If I am a non-co-operator, I can assure my friends it is because I believe in co-operation and I believe that no co-operation is possible in this country unless you start with non-co-operation." What did Mr. Das want? Mr. Das said "I put a constructive suggestion before the Government for the last time. Now, out of the one crore and twenty-four thousands—it would be 24 lakhs (which was the estimated surplus) why not out of this, if you want to waste, waste two-thirds of it, leave one-third for the transferred departments? Surely this is a modest request. Borrow Rs. 5 crores at 6 per cent. interest and arrange for a sinking fund at 2½ per cent. I think I have worked out in this way: if you spend Rs. 13½ lakhs for sinking fund charges and Rs. 30 lakhs to pay the interest you will clear the whole debt in 20 years. With Rs. 5 crores for nation-building purposes you can do a great deal. Spend one crore for technical education in Bengal, spend one crore for primary education, spend Rs. 30 lakhs for special Muhammadan educational institutions, spend Rs. 30 lakhs for those who are called the depressed classes—I do not believe that they are depressed classes—they are oppressed classes—oppressed by the Government and the higher classes alike; spend one crore for the development of cottage industries, spend one crore for weeding out malaria and kala-azar and spend Rs. 40 lakhs for the development of agriculture—you can do all this with five crores without any special efforts if you borrow at 6 per cent." This was the statement made by a responsible leader from this side of the House but what was the response to it? It has been said that it is impossible to provide the necessary finance. Let us examine for a moment if it is the stringency of the finance or want of the will to do it. May I remind the House that a Retrenchment Committee presided over by Sir Rajendranath Mukerjee and in which Sir Campbell Rhodes and other practical men took part investigated the question of Government expenditure and recommended a cut of Rs. 1,90 lakhs, but what did the Government do? Government gave effect to the cuts recommended in the nation-building departments only, in the department of Agriculture, in the department of Industries, for some time but during the last three years not only no retrenchment has been effected but we find that there has been an increase over what the expenditure was at the time when the Retrenchment Committee recommended the cuts. At the time of the last budget a statement was made that we have got a permanent remission of the Rs. 54 lakhs of the provincial contribution, but what has been the result? Under this system everything that comes is absorbed for the purpose of the general

administration and for the purpose of police administration. If we look at page 7 of the Financial Statement we find that the general administration which cost Rs. 1,15 lakhs in 1925-26 now costs Rs. 1,36 lakhs; the cost of police administration which was Rs. 1,79 lakhs in 1925-26 is now Rs. 2,12,74,000. If the system of government will absorb all the money that may be available to pamper the police and also to increase the cadre and pay of the highly paid officers, is there any chance of any representative of the people coming to share the responsibility of government in the administration of the nation-building departments? I may tell the House that the Government may increase the expenditure on police and they may try to increase thanas and all sorts of things but it would be as fruitless a task as it would be to increase the fire brigade strength in Calcutta while allowing combustible and inflammable substances to lie strewn broadcast all over Calcutta! While people are dying of malaria and kala-azar, do the Government realise that it is no good trying to increase the police force and multiply administrative expenditure because the police will have to guard empty villages and will soon find that only ghosts are walking round the thanas and haunting all. We on this side of the House consider the Budget from this standpoint and I want to know who will not say that this is not a correct standpoint from which a representative should speak about the Budget?

(Here the member reached his time-limit but was permitted to finish his speech.)

I may assure the Government that if they persist in this policy, then, though they may increase the police, though they may multiply criminal prosecutions for sedition, when there are such a lot of famished and unemployed people, they would soon be running into all kinds of disorder which no amount of police force could be expected to prevent. We have offered co-operation in the form of a Board of Industries, in the form of a Board of Water Hyacinth, in the form of a Board of Education and it is up to Government to show that they really want co-operation of the representatives of the people by accepting all those proposals, by providing funds and by going along that road. If they do not do that, I can assure them that one-tenth of the unrest that may ensure cannot be created by the political agitators and Government themselves will be helping forward unrest and revolution much more quickly than any political agitator can do.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, in spite of the general discussions on the Budget being branded as a purely ceremonial function and in spite of the great loss in faith in some of our friends on the other side of the House, I was struck by the zeal and earnestness displayed by them in carrying on the general discussions yesterday afternoon and even to-day. I shall not assume therefore the

anomalous position of proclaiming my loss of faith and yet take part in the general discussions to-day. I shall only content myself in rapidly taking stock of the political situation to-day in Bengal.

Sir, a distinguished friend of mine on the other side of the House condemned the Budget of the year as one devoid of any constructive proposal for the benefit of the people, as demonstrating that the interests of the people are not really looked after by our rulers to-day. May I be permitted to remark that of late there has been growing among us a tendency of being too much critic of the actions of others rather than a bit self-introspective and self-analysing with regard to the actions of ourselves. It is true that Government is responsible for many of the evils of this country. From malaria to kala-azar, from the failure of monsoon to cattle mortality, from communal frenzy to the possibly bad examination results of University examinations, we are apt to lay the blame and all the responsibility at the door of Government. Sir, I am not here—and I hope Mr. J. C. Gupta will hear me—to minimise the responsibility of Government in this matter but what I say is that Government is partly responsible for it. I again wish, Sir, there were also a little of self-analysis and self-introspection as to what we ourselves have done in the matter, and what co-operation which Mr. J. C. Gupta has offered to-day has been offered during the past two and a half years. Let those who will not hesitate to pass pious resolutions of high idealism lay their hands on their bosom and answer how little they themselves have done in the matter. I ask them in all solemnity: Is it in harmony with the spirit of self-determination not to do all that is possible for us to do—but only to talk of the very highest, do very little and always blame others for all our evils?

I shall not rake up old controversies but shall content myself with only one illustration, and I do so because I have of late heard that the Council does not look to the interests of the raiyats of Bengal. Have we done our duties to the raiyats of Bengal, have we properly safeguarded the interests of the raiyats? I know the responsibility of Government in the matter. They are not elected representatives of the people but if in a House consisting of a majority of elected representatives the interest of raiyats cannot claim more than ten to fifteen votes, I must express our grateful thanks to the Government and its officers for whatever little they have done in the matter. And in this connection I must differ from my gallant friend, Mr. Bijoy Prasad Singh Roy, about his remarks on the survey and settlement operations being of no benefit to any one. I say that the rights of the raiyats of Bengal would have been nowhere but for these operations and if my friend had made a careful study of the agrarian history of Bengal from the 18th century right up to the present time, he would have found that a part of the solution of Bengal's agrarian troubles would

lie in fixing their rights by means of survey and settlement operations. But, Sir, three years are almost rolling by and we stand to-day in the position of a body who have very little to their credit except reducing the performances of ministry making and ministry breaking almost to fine arts. I do not complain that the successive ministries have gone, for to me it has given the great political lesson which should be learned by everybody concerned in this affair. May I say this almost in the language of one of the greatest Viceroys of India that "if a minister is ever wanted to lead it should be because he has established his claim in public life to be thought the right man. That should come from confidence in his character and ability, not from futile struggle in support of a failing ministry in an exhausted house." Speaking of the Budget, I must at the outset congratulate the Hon'ble Mr. Marr and the Government of Bengal on the firm stand he took before the Simon Commission in demonstrating the inequities of the present financial arrangements. I am sure Bengal will be thankful if he will, while in England on leave, carry this sad financial tale to those leaders of Parliament who will control the destiny and the future of this Presidency.

Speaking on the provincial finance, may I draw the attention of the House to the present financial condition of the local bodies in Bengal. These local bodies have had an euormous expansion of their activities, while their finances have not kept pace with it. Time has come for Government to investigate the normal needs of these local bodies, and to see how far it is possible for these local bodies to meet the normal expenses within the means at their disposal, and to explore the possibilities of the financial expansion and to find out what steps should be taken to remedy this financial state of affairs so far as the local bodies are concerned.

Sir, I feel that the time has come for us to revise the hitherto followed plan and policy in some of the departments of Government. When I tell you, Sir, that the District Boards of Bengal, with an area of 70,468 square miles and 44 millions of people and with 2,500 miles of metalled, 15,000 miles of unmetalled and 18,000 miles of village roads, are only able to spend about Rs. 35 lakhs out of their resources, and when I further say that the Government of Bengal spends about Rs. 25 lakhs in roads, I must say that the case for determining the future policy as to how far and to what extent we are justified to spend provincial funds for roads is more than made out.

A few words I shall speak about our educational budget. Here I complain, as I have been complaining, of the complete want of sense of proportion in framing the budget and greater attention to the metropolis itself. I am fully in favour of the further spread of girl education in this Presidency. But may I ask where was the necessity for

providing Rs. 2,50,000 for acquiring the Christ Church School building and the land to the south-west of Bethune College compound, when not even the estimate had been prepared and sanctioned by the departmental authorities? I have been crying hoarse for providing the expenses of only Rs. 16,000 for a Moslem hostel at Krishnagar whose imperative needs had been admitted by Government and whose administrative sanction was announced by His Excellency the Governor some years back. Each year I am assured of the next best next year and each expectation is beguiled at the next and it seems we are going to be the perpetual dupe of to-morrow.

Sir, I regret to find that there has not been any provision for further grants-in-aid to the numerous madrassas that are now without any Government aid. These madrassas came into existence as a result of many years of sympathetic activities on the part of Government. Old scheme madrassas broke up to find place for these new ones, and Government is almost pledged to give its financial support. These institutions serve very greatly the needs of Moslem education in Bengal and owing to its religious classes are highly popular. Very unfortunately the sympathy has of late been tightened and we are told of certain conditions of grants-in-aid in a recent circular issued from the Director of Public Instruction's office, and that in spite of our having a Mussalman Assistant Director of Public Instruction, it, believe me, Sir, will totally cripple the madrassas in Bengal. Will it be an information to the House, Sir, that out of 570 madrassas in Bengal, only 278 are aided, and yet we find no additional provision for the same? The Educational services in Bengal are now completely in a disorganised state. The recruitment of Indian Educational Service men has been stopped and nothing has yet been decided about the proposed superior educational services. This has kept the recruitment in Provincial Educational Service in a transitory stage and is causing extreme hardship in the service. I hope a quick decision will now be made.

3-45 p.m.

I congratulate the Government upon the provision of Rs. 1,40,000 for the proposed Moslem Institute building. It was, I believe, in 1912 or 1913 when I was a student in Calcutta and the Honorary Secretary of the Moslem Institute that the Government sanctioned a sum of Rs. 1,40,000 for the expansion of the Moslem Institute, and I congratulate myself that I have lived to see it actually provided in the Budget about 18 years after the decision.

May I be permitted to speak a few words about the Irrigation Department? In the words of the Agricultural Commission this department in Bengal at the present day has to deal more with the improvement of navigation and the control of flood water than with

irrigation proper, and I am quoting the very words of the Agricultural Commission that the first step towards solution is the complete separation of the Irrigation branch from the Navigation, Embankments and Drainage branches and the formation of two entirely separate departments, if not sections. I have been personally advocating the separation of these two sections and I strongly emphasise its urgency to-day. In the words of the Commission " no general survey of the irrigation possibilities of Bengal has yet been made. The first duty of the new Irrigation Department would be to formulate a general scheme for irrigation based on a survey in such detail as would ensure ordered progress. This is a point of special importance in tracts which in the nature of things do not lend themselves to large projects and where facilities for the construction of a number of small schemes exist in the same drainage area." May I, Sir, emphasise on this recommendation and remarks of the Agricultural Commission, and I earnestly invite Government to appoint a small committee to suggest steps to be taken to give effect to the recommendations of the Agricultural Commission. The Irrigation Department is to further the interests of the cultivators and the people, and it is hoped that the policy of the Department in pursuing a purely navigation policy should be abandoned. Mr. President, Sir, now that Irrigation is a provincial subject, the policy hitherto followed in the Department requires urgent revision in the light of the present day circumstances.

Mr. President, a few words more about the Agriculture and Public Health Departments. It seems to me that we have much to learn from the Punjab in this respect. The Punjab spends about Rs. 13 lakhs in veterinary works and about Rs. 27 lakhs in agriculture. We spend only about Rs. 6 lakhs in veterinary and Rs. 13 lakhs in agriculture. The activities of the Agricultural and Veterinary Departments are now more or less crippled owing to absence of provision for such works in the Budget. The live-stock expert has been appointed with no money to carry a propaganda work on which depends the success of this work. The District Agricultural officers have hardly any money to carry their normal tours. There is no provision for any expansion in demonstration work or publicity work. I was struck to find that in the Punjab there is a special agricultural assistant for utilisation of co-operative organisations in district agricultural work. May I hope that there should be a similar co-ordination officer in Bengal to get co-operative organisations interested in all works of village welfare, notably in agricultural, veterinary and public health works?

A few words more about the Public Health Department. The Hon'ble Member in charge of the Finance Department has said that this department has got its share in the distribution of the available

resources, but I find that this portion of the Budget has been a disappointment. I find in some respects the move has been a backward one. The quinine grant has been reduced by Rs. 62,000, the kala-azar campaign has been reduced by a lakh and the anti-cholera vaccine grant of Rs. 1,36,000 has been totally wiped away. The expenses in connection with epidemic diseases have been reduced by several lakhs. I do not know whether Government anticipate that there would be no cholera epidemic next year or that there would be fewer deaths from any epidemic diseases. But surely at least in some parts of Bengal it is not desirable that there should be an immediate stoppage of provision for kala-azar campaign. Should we be asked to immediately reduce the grant by one-third unless Government is satisfied that there is no kala-azar for the time being in Bengal? The Hon'ble the Finance Member has spoken of the growing expansion of the rural public health organisations and has raised the figure from Rs. 6½ to Rs. 9 lakhs. Has he noticed that he has done this by reducing the other heads of expenditure—not a very desirable thing in our Public Health budget. It is therefore not correct to say that this department has shared in the distribution of available resources. The Budget provision of Rs. 38 lakhs last year has been exactly kept the same this year with an addition of Rs. 10,000 in spite of a promised recurring expenditure of Rs. 3 lakhs a year in rural public health organisations.

These are the few remarks which I have to offer as regards the Budget so far as its general discussion is concerned, because I take it that we shall have an opportunity of discussing the details of the Budget later on.

Srijut BIJAY KUMAR CHATTERJEE: Sir, the Budget estimate for the year 1929-30 as presented to the Council on the 20th February, 1929, by the Hon'ble Member in charge of Finance, is a colourless repetition of the Government's insincere bluffs that we are accustomed to. It is the same careful attempt to starve the nation-building departments and to fatten the departments intended to strengthen the British Rule in India. The major portion of the receipts of the Government is usually spent for police and for the administration of the country. But I think that if Providence allows these benevolent trustees to rule India a few years more then there would be no necessity for the police or for these administrators to rule and guard the Indian villages, which are gradually becoming depopulated—with no water to cultivate the land and to quench the thirst of the villagers, with no food to satisfy their hunger, with no hut to give them shelter from sun, cold and rains, with no cloth to cover their shame and no medicine to cure their diseases. I repeat my observation which I made in one of my speeches some time ago that the people of Bengal are much worse off now than the time when one Lieutenant-Governor

ruled Bengal and Bihar and Orissa with the help of one Chief Secretary. There is absolutely no necessity for governing our dying and famished people with the pomp and paraphernalia which are not only crimes against humanity but also sin against God. What was the necessity of keeping these Members of the Executive Council with their Secretaries and Under-Secretaries, Assistant Secretaries with all their staff and grandeur? It is useless to waste our time in meeting the arguments of Khan Bahadur Azisul Haque whose speech is full of congratulations to Government and full of aspersions to members of the Swaraj party. He poses as the friend of the raiyat but he voted with the Government against an amendment proposed by one of our party. I may only tell my friend that the other day when I was asking the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari, as to the reason why no provision was made in this year's Budget for expenditure for carrying out the scheme known as the Suvankar Danra Scheme, the Darkeswar Reservoir Scheme and the Birai Canal project in the district of Bankura, his reply was, what could he do, as the Governor did not place any money at his disposal for carrying out these irrigation schemes. The Hon'ble Nawab Bahadur sympathised with the people of Bankura and he also expressed his feelings for the people by saying that he was one of our countrymen and had not come from foreign country and so he always felt for them. While thanking the Hon'ble Nawab Bahadur for his expression of sympathies, may I be permitted to ask him if he really feels that as a Member of the Executive Council in charge of Irrigation he cannot save the dying people of Bankura by providing a few lakhs for water-supply, what is the necessity of his occupying the chair and digesting every year Rs. 64,000 of these famine-stricken people of Bengal, except the satisfaction of his personal ambition? And if it be so, are we not entitled to say "enough of your service —please do not try to mislead the people—but exit"? And I am also repeating the same arguments against Sir P. C. Mitter who, as a Member in charge of Revenue, could not help the people of Bengal at the time of acute famine last year. As for the poor Ministers, the chairs are vacant now and if the Government again puts some place-hunters in these chairs my observations would also be the same.

The Government's motive is clear. It wants to drain the purse of our countrymen, and the system of exploitation, which has begun from the day the East India Company obtained this Diwani of Bengal, Bihar and Orissa in the year 1765, is still being pursued even now with the same cruelty, the same unscrupulousness and the same immorality. Last year when famine of a very acute type was raging in my native district of Bankura, His Excellency the Governor paid a visit to the famine-stricken area and personally saw the condition of a vast uncultivated barren tract of land and a useful but now dry canal known as the "Suvankar Danra" excavated by that famous

mathematician Suvankar. His Excellency assured the people, or if His Excellency did not mean so, at least the people assembled there took it as His Excellency's assurance, that His Excellency would see that the canal would be soon excavated. I understand this scheme is ready but cannot be carried out for want of funds. But from this year's Budget we find there is absolutely no honest attempt on the part of the Government to save the dying people of Bengal. Many of my hon'ble friends of this Council have made a thorough analysis of the Budget. I do not want to repeat the same. But I cannot refrain from drawing the attention of this House to the great injustice that is being done year after year. Out of a total revenue of about 12 crores of rupees the Government is spending every year more than two crores on the Police Department and every year this amount is increasing. Every care is being taken to provide large sums of money for the reserved subjects, but no money can be found for rural water-supply, for sanitation, for the relief of famine or for education. The Nurses' Institute can get one lakh every year but dying villages can not get anything for water and medicine. It would not be possible to narrate all the inequities that could be found within the Budget. In the name of education many acts of injustice have been done. Instead of providing for more private schools in villages, the Government is going to build a big Hall at Dacca at the cost of several lakhs. As for the money provided in different departments we find that the major portion is being taken up in providing for highly paid officers. We have been told that a windfall brought Rs. 52 lakhs as probate duty. But what has the Government done with Rs. 52 lakhs? It could not set apart this money for supply of water or for sanitation in the rural areas. Much has been said about the injustice done under the Meston settlement and after shedding of profuse crocodile tears the members of the Treasury Bench inform us that under the new reforms which Parliament would give on the recommendation of Messrs. Simon and Company, a new era would dawn. But I am quite sure that even if you unsettle the Meston settlement and introduce the Simon settlement in its place, the same condition will continue until the benevolent trustees of the Indian people for the benefit of British rule are themselves unsettled.

4 p.m.

Mr. SATYENDRA CHANDRA GHOSH MAULIK: Sir, before going into the Budget itself, let me congratulate the Finance Member on turning this deficit Budget into a surplus one. But I am not quite sure whether I shall be able to congratulate him on the distribution of money in the Transferred as well as in the Reserved side. All through the Budget speech we find the discordant note that nothing can be done till the Meston award has been more equitably settled and

that until then money cannot be found for the nation-building departments. But, Sir, may I ask the Finance Member whether that has hampered him in any way in allotting money to expand the Reserved side? The plea is only put forward when the Transferred side is considered. The nation-building departments are allowed to stand still or make a slow progress if progress is the fit expression for it. May I know how much money has been kept for the expansion of primary education, the panacea of all evils of the last Ministry. We hear a lot that the Government—nay, the Transferred side of the Government—may give us free primary education; but how much money is the Government going to spend on it from the general revenue? This year we find only Rs. 27 lakhs is kept for primary education, there being not a bit of increase over the last year's budget. How many schools have been subsidised? Has any move been made towards creating a larger number of schools and colleges throughout the province as was the wish expressed by His Imperial Majesty the King Emperor while speaking at the special Convocation of the Calcutta University in 1911? The whole of the Education Department does not get more than Rs. 1,44 lakhs and in the whole education budget we do not find any big provision made for the furtherance of physical culture. May I know what happened to the scheme of the Hon'ble Sir P. C. Mitter when he was the Minister for Education? We find provisions for the construction of play-grounds and swimming tanks and some provision for the pay of a physical director not at all a big scheme.

Now turning to the public health side we find an exactly similar situation. The provision of Rs. 38 lakhs for agriculture and industries is also not better off. More experimental farms should have been started and a scheme for improved cattle-breeding should have been undertaken on a much wider scale. We may cry ourselves hoarse, but alas, no remedy will there be forthcoming. We hear much about the Agricultural Commission and that the wealth of Bengal lies in the expansion of agriculture; but alas, things are not what they seem. Enough money cannot be devoted to its expansion. There is the bogey of the Meston award always moving before our eyes. But when the Reserved side is considered the bogey disappears and more money is available for the gods that sit in Elysian heights to spend more lavishly. About 3/4ths of the increase are expended on the Reserved side—the biggest item being the ever increasing demands of police (law and order), which takes up nearly 1/5th of the total income of the province. When we cannot find money for the nation-building departments the Government in the Reserved side can snatch up enough from the Finance Member to launch itself into a big recurring expenditure for the revision of the pay of sergeants and constables and a capital grant for the construction of quarters for the married sergeants of the Calcutta Police.

If we look at the sister provinces what do we find? Bombay, which is not a less important province than Bengal, spends more than Rs. 2 crores on education and Madras spends about Rs. 2½ crores—about 1/7th of the total revenue, whereas Bengal spends 1/10th of its revenue for education. Those provinces are more liberal in allotting money on the Transferred side than Bengal ever cares to be. As regards their police force, Bombay, which is a bigger province from the point of view of industry and commerce and where there is a large number of mills, spends not more than 1/8th of its revenues for the maintenance of police and I am not sure if the Bombay police is less efficient than Bengal police.

Sir, if we have the intention we can find out the means. Let the nation-building departments grow and then you will find a better fed, better educated and a healthier race—an asset of Bengal, nay, of India—a fit nation to take their bold stand anywhere in the wide politics of the world.

Maharaj Kumar SRIS CHANDRA NANDY: Mr. President, this is the third and last Budget of this Council and as the sands of its term are fast running out, I must express once more my regret at my inability to congratulate the Hon'ble Finance Member on his performance. For surely a budget which builds its surplus on the quicksands of a windfall cannot be regarded as satisfactory. Ever since the formation of the Council under the reforms we have been told that unless and until the Meston award is revoked there is no hope for us That statement has now lost even the charm of novelty and it will be cold comfort to hear it repeated once again.

The best and I would say sensible course for us would have been to apply the pruning knife to the expenditure side of the administration which has attained the luxuriant growth of tropical vegetation.

Sir, in the Budget before the House we find that while the police budget is about Rs. 16 lakhs more than the revised estimate for the current year, the grant for education is about Rs. 4½ lakhs higher. One cannot contemplate the increased expenditure on the police without equanimity when but for the windfall of Rs. 52 lakhs there would have been a deficit of about Rs. 18 lakhs. The money spent on the police cannot in any sense be called reproductive or tending to increase the earning capacity of the people while the money spent on education is money well spent as the spread of education is sure to increase the earning capacity of the people, and consequently enable them to bear heavier taxation.

Sir, last year I pleaded for the poor people I have the honour to represent and said that with the dark shadow of scarcity over my district the recovery of survey and settlement charges should be deferred. I am glad to find the Hon'ble Finance Member say that

owing to "the agricultural distress prevailing in certain parts of the province recoveries in full would have caused hardship and payments have been postponed in many cases with the result that our receipts from this source are not likely to be more than Rs. 11½ lakhs."

I cannot conceal from myself that I am sorry the Hon'ble Finance Member had hoped for improvement in excise. His hopes have not been fulfilled and "the check in revenue is mainly due to the decrease in consumption of country spirit and *pachwai*." "The depression in coalfields and adverse agricultural conditions in certain areas with consequent higher price of rice have adversely affected the revenue from these sources." The depression in the coalfields shows signs of passing away and agricultural conditions, let us hope, will be favourable. But it will certainly be unfortunate for us if with the return of prosperity and plenty our people again take to country spirit and *pachwai*.

It is unfortunate not to find any increase in the allotments for Public Health although the health of the country is getting worse every year. The Government propose to undertake dredging the western end of the Hitalya Doania and Sabtarmukhi crossing on the Sundarban steamer route. I am glad after all dredging operations are being undertaken by the Government. Better late than never.

Sir, one word more and I have done. A feeling of sadness comes over one as one searches in vain the Budget for provision to carry out the promised scheme of water-supply in rural areas. This Council has been in existence for three years. As I have said before the sands of its life are fast running out. As we contemplate this—our last Budget—a feeling of sadness and disappointment comes over us because of the blank record of our achievements in the direction of works of public utility. We had hopes that before we disperse and face the next General Election we would be able to do some good to our electors and satisfy them with the record of our work. I had hoped that we would be able to commence working the scheme for the supply of drinking water in rural areas. But alas what shadows we are and what shadows we pursue! Would it be too much to hope that the scheme which was adumbrated by the Hon'ble Sir P. C. Mitter as Minister would be placed before the Council and action taken on it? Or would it be said of us that the poor whom the men's eyes forget are forgotten even by those who should consider it to be a delight and a privilege to serve them faithfully as their representatives in this Council?

Srijut JOGENDRA NATH MOITRA: It has become a part of the convention of this House to make a few observations on the Budget of the coming financial year. It has also come to be a convention on the part of the Government to treat lightly the remarks of the House, however sensible and irrefutable they may be. The simple reason is

that the Government does not feel in any way responsible to the people. On the other hand they feel a secret pleasure in rejecting those suggestions, without even coming to convince the people for taking such a step. Knowing, therefore, as we do, the consequences of our observations, we still avail of this opportunity only for the purpose of exposing the irresponsible character of the bureaucratic administration in this country. We hope thereby to convince the people whom we have the honour to represent that without full responsible Government our real needs and requirements will not be looked into.

The Hon'ble the Finance Member has placed before us a deficit Budget, in spite of the increase in the assets by about Rs. 52 lakhs—a windfall which, to quote the Hon'ble Member, "sounds too good to be true." Our total receipts on revenue account is estimated at Rs. 11,11,23,000 and the expected expenditure from the ordinary revenue shows Rs. 11,73,88,000. This represents, I need hardly say, a hopeless state of affairs. Had it not been for the windfall of Rs. 52 lakhs and the extraordinary receipt of Rs. 4 lakhs under the head "Extraordinary receipts" the deficit would have been even greater than Rs. 88,75,000. It would have come up to Rs. 88,75,000 *plus* Rs. 55,00,000, that is, to Rs. 1,43,75,000. The closing blance would then have been further reduced to about a crore and 9 lakhs. I cannot, therefore, congratulate the Hon'ble Finance Member for presenting such a Budget. Without first making the condition of the finance stable, he should not have launched into fresh recurring and non-recurring expenses. I shall proceed to show at a later stage how this amount obtained by virtue of a windfall has been sought to be spent.

Sir, we have always raised our voice strongly against the most inequitous award by the Meston Settlement. The Government of Bengal has been insistent in its complaints but the Central Government has remained obdurate as ever. The injustice done to Bengal will be apparent from the fact that Bengal contributes as much as 45 per cent. of the revenue to the Central Government. Let me quote here from the speech of His Excellency the Governor delivered sometime ago on the occasion of a party given by the Mining and Geological Institute:—

"Something like 45 per cent. of the total revenue of the Central Government comes through Bengal and at the same time she finds herself with scarcely any money to run her own administration."

Sir, if we compare the income from revenue assets of Bengal with those of the other provinces we find that we are at a great disadvantage. The population and area of Bengal is twice as large as that of Bombay. But Bombay derives an income which is approximately five crores more than that of Bengal. So, if we can get even this

five crores from the Central Government, which, considering the contribution we make to it, we can very moderately ask, we shall certainly be in a more stable position—we can also have free and compulsory primary education without taking recourse to further taxation.

Sir, judging our position according to the standard of expenditure, as depicted in our present Budget, we required an additional recurring income of at least a crore of rupees. The Government of Bengal should very strongly urge for this additional small grant from the Central Government to save it from immediate financial collapse.

I shall now ask the House to consider how this amount of Rs. 52 lakhs obtained by a stroke of unexpected good fortune is mainly going to be spent. On a careful examination of figures, you will find that most of this amount has been utilised on the Reserved side. My time being limited, I cannot go into details but I must content myself by referring to one or two things. On the Transferred side the departments known by the high sounding name of "nation-building departments" are Education, Medical, Public Health, Agriculture, Industries. The total increase in all these departments amounts to only Rs. 1,63,000 whereas the Police Department alone has got an increased grant of 19 lakhs of rupees, not to speak of other items such as "General Administration," "Registration," etc. This will show how far the assumptions of the Hon'ble Finance Member has been justified when he claims to have made a fair distribution throughout the various branches of the administration. The keen solicitude of the Government to strengthen the already pampered Police Department will be strikingly evident from the fact that even in a deficit Budget like this the Government could find as much as 19 lakhs of rupees for their embellishments. The reason is not very far to seek. The Government has to be carried on with the help of mailed fists. What more can be expected from a foreign and unsympathetic Government?

As regards the grants in connection with epidemic diseases, the Budget makes a shocking revelation. The grant originally sanctioned under this head in the year 1928-29 was Rs. 5,89,000. In the revised estimate it was brought down to Rs. 4,89,000. But in this year's Budget only Rs. 2,81,000 has been granted. Thus a reduction of more than Rs. 3 lakhs out of a grant of Rs. 5,89,000 has been effected in the Department of Public Health—I mean, in the expenses in connection with anti-malarial measures, kala-azar campaign, etc. The report of the public health shows an alarming progress of epidemic diseases almost in all parts of Bengal. But our *Ma Bap* Government in their untiring zeal for our welfare has thought fit to lessen the prolonged suffering of a slave nation by not interfering with their final release from the mortal coils.

Sir, in the whole Budget we fail to find any amount allotted for the eradication of water hyacinth pests. Representations after representations have been made, questions after questions have been put, but no genuine attempt appears to have been made to deal with this very urgent matter. The eternal excuse of funds is always put forward to brush aside this inconvenient question. The toy Ministers could give us no help—I hope this House would not be reluctant to vote for a loan of adequate amount if the Government comes forward with a workable scheme for its eradication.

It is very striking that in this year no provision has been made for the rural water-supply. We had assurances from the Hon'ble Sir Provash Chunder Mitter, then a Minister, that the Government had accepted his loan scheme in this connection. This news was trumpeted throughout Bengal as one of the achievements of the Hon'ble Minister. But the general expectation of the public was sorely disappointed with the presentation of this Budget.

Sir, the mountain in labour produced the proverbial mouse, but here even that mouse was missing. This is highly shameful and scandalous beyond all description. It is many many times preferable to postpone the expenditure in connection with the construction of the new Council Chamber and the Bally Bridge for a year and direct——.

(Here the member having reached his time-limit resumed his seat.)

[At 4-20 p.m. the Council was adjourned and it reassembled at 4-35 p.m.]

Babu AMARENDRA NATH CHOSE delivered a speech in Bengali criticising the Budget.

Mr. K. C. RAY CHAUDHURI: Sir, I do not want to waste the time of this House by prolonging this discussion. As a matter of fact, this discussion is an anachronism inasmuch as we know that we have a right of discussing every item of the Budget when the time for voting the demands for grants comes. My only object in speaking now is that I want to draw the attention of the House to those things which concern my subjects, and in which I am specially interested, viz., those pertaining to Labour.

Sir, on page 91 of the Budget we find that the grant for Civil Secretariat does not include any item for a real Labour Intelligence Office. Many distinguished Members of Parliament and visitors have come out to this country from England and America to inquire into labour conditions here. They wanted information and they went to the Secretariat to get that information, but they were all disappointed as the only things that they could get hold of were some stereotyped and vague reports. In Bombay, which is industrially less important

than Bengal, they have a real Labour Department. They have got there a whole-time officer and a big staff for collecting statistics of wages, cost of living, housing conditions, and so on. I have been urging on Government year after year the importance and necessity of having an efficient Labour Department, for inquiring into labour conditions in Bengal, but my appeals have fallen on deaf ears. I cannot understand why the Government are so stingy in this matter, and why they do not care for it at all.

Sir, when we turn to the Education grant, we find the same old story. Primary education comes in with only Rs. 27 lakhs as against University education with Rs. 37 lakhs. We do not want University education any more: we have had an overdose of it. What is the use of all this secondary and college education? Why should the State be responsible for financing higher education? In no country in the world is the State responsible for higher education to such an extent as it is in this country.

Then, we find an item of Rs. 25,000 for giving effect to the recommendations of the Piece Workers Committee's Report; nothing seems to have been spent up till now for that purpose and the grievances of the poor piece workers have not been set right. We have had passed twice in this Council a resolution for removing the grievances of the linotype operators. Nowhere in this country are the lino-operators on the piece system, and even in the Government of India Press, which is a bigger establishment than the Bengal Government Press, the piece system among linotype workers has been abolished. In spite of that we find the Hon'ble Mr. Marr still sticking to the piece system, and I want to hear from him as to why he is not prepared to abolish the present system, and to make provision in the Budget for the small additional expenditure involved.

Sir, the Co-operative Department is a grand department, and there is no doubt that it has been doing wonderful work. But it has forgotten that there is great urgency for starting co-operative credit societies in the mill areas. There are such societies in the rural areas for saving the poor cultivators from the clutches of the money-lenders, but in the mill areas of the province, where there are about one million industrial workers, no one takes the trouble of inquiring into the necessity for starting such societies.

It is the same with housing. In every civilized and progressive country there is housing legislation for starting co-operative housing schemes among other things, but nothing at all has been done here to tackle this problem.

My last point is about the factory inspection staff. A sum of only Rs. 1,75,000 has been provided for in the Budget for this purpose, which involves the welfare of one million factory workers. We know

that Conventions have been passed at Geneva for very stringent inspection of factories. If we are to carry out the terms of these Conventions, it would require a big staff, which means additional money for expenditure. Sir, though there are innumerable factories scattered all over Bengal employing a large number of women, there is not a single lady Factory Inspector. It is absolutely necessary that there should be lady Factory Inspectors for looking after the interests of women workers in mills, etc. There is no reason why we should not have them, since we have got lady doctors and so on. Surely, if Government looked for them they would not be disappointed as there are many ladies fully qualified to take up the work.

With these words, Sir, I beg to resume my seat.

Srijut RADHA GOBINDA RAY: Mr. President, Sir, the discussion of the Budget has become a very dull affair because it serves no useful purpose. The observations, criticisms and suggestions have become old and hackneyed, and a repetition of them year after year excites no interest either inside or outside the House. I do not know with what feeling I shall receive the achievements of the Hon'ble Mr. Marr. I think that a man of such superior financial ability, as the Hon'ble Mr. Marr is, can lay no claim for appreciation from the members of this House for framing this routine-work Budget, which is nothing but a repetition of the last year's document with slight variations.

I beg to draw pointed and close attention of the members of the different groups of this House to the fact that so long as the constitution remains as it is now, the Budget figures cannot be radically altered. Criticism directed against the rather undue and extraordinary amount of money set apart for police administration have all proved futile and useless. Budget figures instead of decreasing are every year on the increase and, I presume, they will be so for some years to come. To expect otherwise is to expect milk from stones. The bureaucratic administration cannot work without increasing the police force—its efficiency and vigilance.

Sir, if we enter into an analytic discussion of the Government's Budget, we shall see the picture of Bureaucracy in all its hideousness.

4-50 p.m.

On the receipt side of the Budget, we find that about half the revenue of the province has been contributed by the departments of Excise and Stamp. Sir, these two nation-ruining departments have been tenderly nursed by our benign rulers in order to reap the revenue, otherwise the upkeeping of this huge machinery of Government becomes an impossibility. The accruing of such a large revenue from

these two evil departments gives us a very fair idea of the intellectual and moral level of the poor people of this starved province, administered with such wonderful efficiency by our white masters. Consider, Sir, for one moment the pale, pathetic, nude, skeleton figures of the malaria stricken rural population and then consider the amount of intoxicating drugs and liquors consumed by these wretched people, which can fetch to the exchequer of our rulers the sum of 2 crores 25 lakhs of rupees as excise revenue. Next about litigation. Litigation to a certain extent is a necessary evil and no human society can ever be free from it. But, Sir, litigation amongst the rural folk in Bengal is working with a greater vigour than malaria and kala-azar and the huge sum of Rs. 3 crores 70 lakhs accruing to the Government exchequer from that source leads our imagination to conceive of the infinite varieties of criminal and civil tangles and disputes, bringing in their train inconceivable social and moral degradation, too pathetic and painful.

Has the Government done anything to check these two evils? "No," must be the shameless answer.

Turning to the side of expenditure we find that out of the total revenue of Rs. 11,69,48,000 the General Administration, Administration of Justice, Jail, Police, Ports, Pensions and Allowances and Expenses in England, Land Revenue, Excise, Stamp and Registration consume the huge proportion of Rs. 7,04,68,000. The rest of the sum, viz., Rs. 4,64,80,000 is distributed in various other departments too numerous to be mentioned in detail. Finding the requirements extremely urgent the Finance Member has been compelled to encroach upon the opening balance to the extent of Rs. 88¾ lakhs, proving thereby the unsound financial position of the Government of Bengal.

Even this small residue has mostly been reserved for the upkeep of the big establishments of which in most cases white experts imported from European countries are the heads.

In Education we find Rs. 1,30,43,000 has been set apart for the Transferred side and Rs. 14,47,000 for the Reserved side. Rupees 26,98,000 has been set apart for helping the primary education of this huge province. The country is agitating for free compulsory education and the response which it has received from the Government is clearly reflected in the contribution, so generously made. For secondary education through Government and non-Government schools the sum of Rs. 28,87,000 have been set apart. For University and college education the sum of Rs. 34,81,000 have been awarded. The new University of Dacca gets Rs. 9,39,631 and the Calcutta University, in spite of its extreme financial difficulties, gets only Rs. 3,50,000. For direction and inspection the sum of Rs. 14,94,000 has been allotted. Criticism is useless. Even the small sum set apart for education

has been distributed in a manner which cannot but arouse feeling of resentment greater than mere dissatisfaction.

Turning to Public Health Department we find only a small grant of Rs. 38,14,000. Out of this small sum Rs. 7,81,000 is to be spent in keeping up huge establishment with European experts at its head. Rupees 25,77,000 is to be spent for improving the health of the people of Bengal. Sir, when I reflect upon these figures and think of the terrible huge health problem of our cursed province, I cannot conceive how upon earth a Government can exist, which year after year pays its officers in lakhs, ignoring altogether the heartrending figures of innumerable deaths from preventible diseases amongst the rural population of Bengal. Layman as I am, I am not acquainted with the practical difficulties of real administration, but during my actual observation of the inconceivably terrible insanitary aspects of the rural population of Bengal I do honestly think, that the Heavenly Father, cannot long tolerate such a horrible state of things. The whole rural population would be effaced out of existence and the beautiful earth will be relieved of this hideous and ugly show, unless the present inhuman order be changed and genuine and sincere efforts be made to fight out the evils which are creating havoc amongst our rural countrymen. The Budget allotment is a total nullification of this expected sympathetic outlook and I do not know with what voice to condemn it

Turning to the Agriculture Department we find Rs. 6,19,000 awarded to veterinary charges. Veterinary charges means expenditure upon a few imported experts, who are certainly working out wonders. Experts, European experts must be kept otherwise the Government of Bengal even in this innocent department cannot properly function.

We find Rs. 13,10,000 granted to agriculture works. It does not mean grants to the poor agriculturists of Bengal. This sum must primarily be spent for keeping Directors, Deputy Directors and many other big officers in employment. I do not for a moment depreciate the importance and necessity of keeping experts in office for investigation and doing the intellectual side of the work. But I cannot understand what is the necessity of these officers when for want of funds the actual work cannot be taken up. The poor agriculturists of Bengal have received no substantial benefit by the existence of these officers. They are being paid only for show.

Adequate criticism of this shameless financial framework of bureaucratic administration will exhaust the whole vocabulary of vituperation. That is, however, a shameful and useless procedure. Knowing fully well that the representatives of the people here have no real voice, I still think it my honest moral duty to warn the present administrators in the floor of this Council, and ask them to take

courage in both hands and change their old outlook and vision. The people's standpoint must be thoroughly studied and sympathetically considered. The wailings and lamentations of the dying population of the country should not be ignominously ignored. Humanity must be evoked in the consideration of the problems of this subject race.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, it has been my privilege to have listened to many general discussions on the Budget but I must really confess that the debates which we have been listening to since yesterday have been very, very disappointing. There may be a good reason for the general inaccurate criticisms that have been made yesterday and to-day and that reason may be found in the impending election. It may be that to some of my friends on my right the Budget is unsatisfactory and I quite sympathise with them in their view. We on the Government benches do not claim that we are the quintessence of wisdom but I know that my friends on my right claim that all wisdom is centred in them. We, on the Government benches, Sir, do not set up any higher standard than that of duty. To us, some British and some Indian, the standard is the standard of duty according to the resources we have. We also claim patriotism for our country. I know my friends on the right look upon us - at least those of us who are Indian - as traitors. I claim, Sir, that under the limited resources at our disposal we have done our best. And as an illustration of inaccurate criticisms may I point out the one about cholera vaccine? If my friends had cared to inquire, or if they disdained to inquire, but had looked at page 76 of the red book they would have found that it is only a change of system. Last year we had to buy our cholera vaccines; this year and during some part of the last year also we have been manufacturing them on our own account. At page 76 the hon'ble members will find this observation:—

"The decrease in the ensuing year's estimate is partly due to the omission of any provision for the Medical Inspectress of Schools and partly to the transfer of provision for the Bengal Vaccine Depot, the Bengal Vaccine Laboratory, and the Bengal Excise Laboratory, and their staff to the head 'Bacteriological Laboratories.'"

The above is only one instance of inaccurate criticism and as the matter will be fully debated later on, I do not like to trespass upon the time of the House at this late hour.

Some of my friends in the course of their criticism have asked us to what has become of the famous water-supply policy. My answer is that it is still there. I do not take any more credit for it than that of having initiated it. After it was initiated, the credit is the credit of Government as a whole. Hon'ble members will remember that there was a District Boards Conference which was opened by

His Excellency the Governor. At that Conference every member of Government was present. After that letters were written to the different District Boards. Some of the District Boards openly said that this scheme would do them no good, but others had a better sense and replied to our letter and asked for loans.

Hon'ble members will remember that it was the essential part of this scheme that the Rs. 2½ lakhs which was promised by Government for only five years should be made on a permanent basis and that is the principle accepted by Government for the purpose of their loan policy. That policy has been accepted by Government as a whole as well as the loan policy. Some of the District Boards were slow in sending up their programmes and this Government could not approach the Government of India for a loan until they knew how much the District Boards wanted. Regular programmes must be received and examined first. Therefore, if, instead of criticising for the mere sake of criticism, if, instead of entering into personalities which some with their manuscript eloquence could not help doing, their attitude had been more helpful I am sure the scheme would have progressed more. Whether I was in charge of the Local Self-Government Department or my esteemed friend, the Raja Bahadur of Nashipur, with the co-operation of the public the scheme would have progressed more. As I say, it is still there, but, if, instead of putting forward futile puerile generalities with which we are too familiar, there were more of co-operation between the different sections of the people I do not ask my friends on my right to co-operate with the "bureaucrats," although my non-co-operating co-operating friends are the best of co-operators, otherwise we should not find them inside this Council, and otherwise they should not have helped the co-operators to drive out my esteemed friend the Raja Bahadur from office and less talk and attack on the present system of Government, and if, in their path of co-operation they had put their shoulders to the wheel of administration, then I am sure many things could be achieved in spite of the system.

Mr. H. S. SUHRAWARDY: Is this *extempore* lecture at all relevant to the subject of discussion?

Mr. PRESIDENT: Order, order, the Hon'ble Member may proceed.

The Hon'ble Sir PROVASH CHUNDER MITTER: I must at once say that my criticisms do not apply to my friend Mr. Suhrawardy and the members of his party, but what I said I did not say in anger. As I am an Indian, it is out of the anguish of my heart that I am speaking. I say: is it any good criticising others while

you yourselves do nothing? Sir, we have been twitted with drawing our Rs. 64,000, but may I ask why do they draw their travelling allowance? We have been told that instead of providing for Ministers' salary we should have spent that sum on some beneficial scheme. But, instead of coming to this Council and wasting their time, and instead of spending money on election expenses, why don't they conserve that money for the good of the people? That is a question which a humble "traitor" would put to his friends on the right. I would also ask them to lay their hands on their breast and appeal to their conscience and some of them have a conscience—and then judge others. We do not claim that we are infallible but let them not also claim infallibility for themselves.

About the kala-azar reduction some criticisms have been made. I would point out that the basis of the scheme was that it was expected that medical men would be employed under rural public health organisations and they would be able to take over the work of the special kala-azar staff. This expectation was not fulfilled because the District Boards preferred sanitary inspectors to medical men who would cost more. In many districts however kala-azar has been successfully tackled and has even declined. Wherever schemes are ripe Government will be asked for more money and they are willing to do their best to combat this disease.

Other criticisms have been made but I do not want to take up the time of the Council in answering them now. When the time for voting on the demands comes there will be an opportunity for my friends and myself also to mention them.

Sir, before I conclude I would like to say one word with your leave. If I have spoken with some heat and warmth, believe me, Sir, and through you I assure my friends to whatever party they may belong, that I have done so, more in sorrow than in anger, and I hope and trust they will take my remarks in the spirit in which they have been made.

The Hon'ble Mr. A. N. MOBERLY: In view of what has fallen from some of the members who have spoken I should like to make a few remarks before the debate closes. In the first place I wish to contradict as emphatically as I can, the statement of Babu Nagendra Nath Sen that Government take no steps to prevent communal riots or to make them impossible and to combat his insinuation that far from trying to stop communal outbreaks Government actually encourage differences between the two great communities in pursuance of a policy of "divide and rule." I can hardly believe that a member who is cognisant of so many of the minutiæ of administration should not be aware that the unhappy communal outbreaks with which Bengal has been afflicted for the last three years have been one of the most serious

preoccupations of Government and that they and their officers have strained every nerve to compose differences whenever they have arisen, to take precautions to prevent rioting whenever and wherever there has been reason to anticipate that it might take place, and to localise and quell any outbreaks that have occurred. Hardly a week passes in which reports are not received of communal disputes in one district or another, but in the large majority of cases prompt action by the local officers leads to the settlement of differences and prevents an appeal to force. Does Babu Nagendra Nath Sen believe that the freedom of Calcutta from communal riots during the past two years is solely due to the good sense of the two communities in the face of efforts by Government to foment strife? Or will he be honest enough to admit that it is mainly due to the efforts made by the officers of Government to remove causes of friction wherever possible and to the elaborate precautions taken on every occasion on which the possibility of rioting can be foreseen? I regret that he is not present here now to make this admission. It unfortunately does happen sometimes that a trivial dispute takes on a communal aspect or that outbreaks occur without warning, and it is true that when blood has been shed murderous outrages are apt to occur which are very difficult to check. But Government are not the fomentors of the trouble. Their hands are absolutely clean in this respect, and I challenge Babu Nagendra Nath Sen or any other member of this House to adduce a single instance in support of the insinuation. No one can regret more than the Government of Bengal the spirit of communalism which threatens so seriously to hamper the progress of this province. And I maintain, Sir, that anyone who, instead of discouraging those members of his community who spend their time and energies in Calcutta and elsewhere in fanning the embers of communal strife, tries to throw dust in people's eyes by pretending that it is not such persons but Government who stand to gain by provoking breaks of the peace is guilty of the gravest disservice to his country. Some of the members on your left have complained that Government do not do as much as they could if they wished to carry out the demands of the people, and that they are impervious to criticism. One of them pessimistically observed that it was impossible for any one to frame a budget to satisfy the people as long as the present constitution lasts. If by "constitution" he means the present financial settlement under which Bengal is left with resources absolutely inadequate to provide for most pressing needs, I agree with him whole-heartedly. But I think that the term "constitution" is rather a wide one to use in this sense.

Another member, Babu Taraknath Mukerjea, said that his party would do their utmost to get the present policy of Government changed. I was glad to hear this and I hoped—though my hopes have been rather damped to-day by the speech of Mr. Gupta—that it was an

indication that his party might at long last be thinking of a change in their own policy, for I cannot agree that they have done their utmost hitherto. They have confined themselves to criticism and I do not feel myself that the criticism has been very helpful. They have told us what they would do if they were in power. But why are they not in office? I cannot follow Mr. Gupta's excuse that they will not share the responsibilities of Government, because the Government is soulless and inanimate. It entirely fails to convince me. Even if the present Government is soulless and inanimate, I cannot see why they should not attempt to improve it, to supply the little leaven to leaven the whole lump and to grapple with the problems from within. Surely they cannot be afraid that the difficulties will be too much for them or that they, in their turn, will become soulless and inanimate. If only they will realise the thinness of their excuse and will come forward to shoulder responsibility and to take their share in moulding the policy of Government, they will be doing far more than the utmost that they have done hitherto, and I for one shall welcome their assistance—I avoid the hated word "co-operation" in working for the greatest good of Bengal within such limits as our scanty means allow.

Before I sit down I should like to refer to two specific points in the Budget which have been mentioned by previous speakers in the hope that I may thereby save some of the time of the House at a later stage.

Reference has been made to three items in the Civil Works Budget for expenditure on police quarters. Two of these relate to the quarters which are being built for sergeants in Calcutta. The third relates to the Bogra police lines. I may say in the first place that all these projects have already been passed by this Council and a large part of the work has been done. Of course it is possible for the Council to refuse money for the remainder of the work, but I submit that it would be extremely wasteful, because the work at Lal Bazar and Kapalitola is distinctly remunerative. It is obligatory on Government to provide quarters for sergeants, and the capital cost of the buildings at Lal Bazar and Kapalitola will be very much less than the capitalised cost of the rent that is being paid.

As regards the Bogra police lines, as long ago as 1920 the place was visited by one of my predecessors in office and he remarked "I have just seen the police lines here. They are extraordinarily bad, in fact the worst that I have seen anywhere, and the hospital is exceedingly poor. The site is far too cramped, and the buildings are badly designed and overcrowded. The whole thing requires to be moved away from the centre of the town, which is already overcrowded, and would be

all the better for the free space vacated by the lines." That was 8 years ago; the Council I think passed this demand last March. I do not think it was passed at a moment too soon.

The other item to which I should like to draw attention is one which is perfectly clear from the red book. It is the large increase under "22—General Administration." Actually Rs. 2,40,000 is to provide for the forthcoming election. We have under the law to prepare a new electoral roll every 3 years, and if we have a general election, provision will have to be made for the polling officers and other incidental expenses. Should the election be postponed, the money will be saved.

The other item is for Rs. 9,00,000 in connection with the introduction of the amended Tenancy Act. That Rs. 9,00,000 is shown on the receipt side and also on the expenditure side. I submit that the sum of Rs. 11,40,000 cannot be regarded as a permanent increase or as having been taken from the nation-building departments. If that amount is added to the Budget estimate of 1928-29 on the voted side, it will be seen that the total exceeds the demand for 1929-30. Therefore, to all intents and purposes, there is no real increase in the general administration so far as this Budget is concerned.

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 16th March, 1929, at the Town Hall, Calcutta.

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